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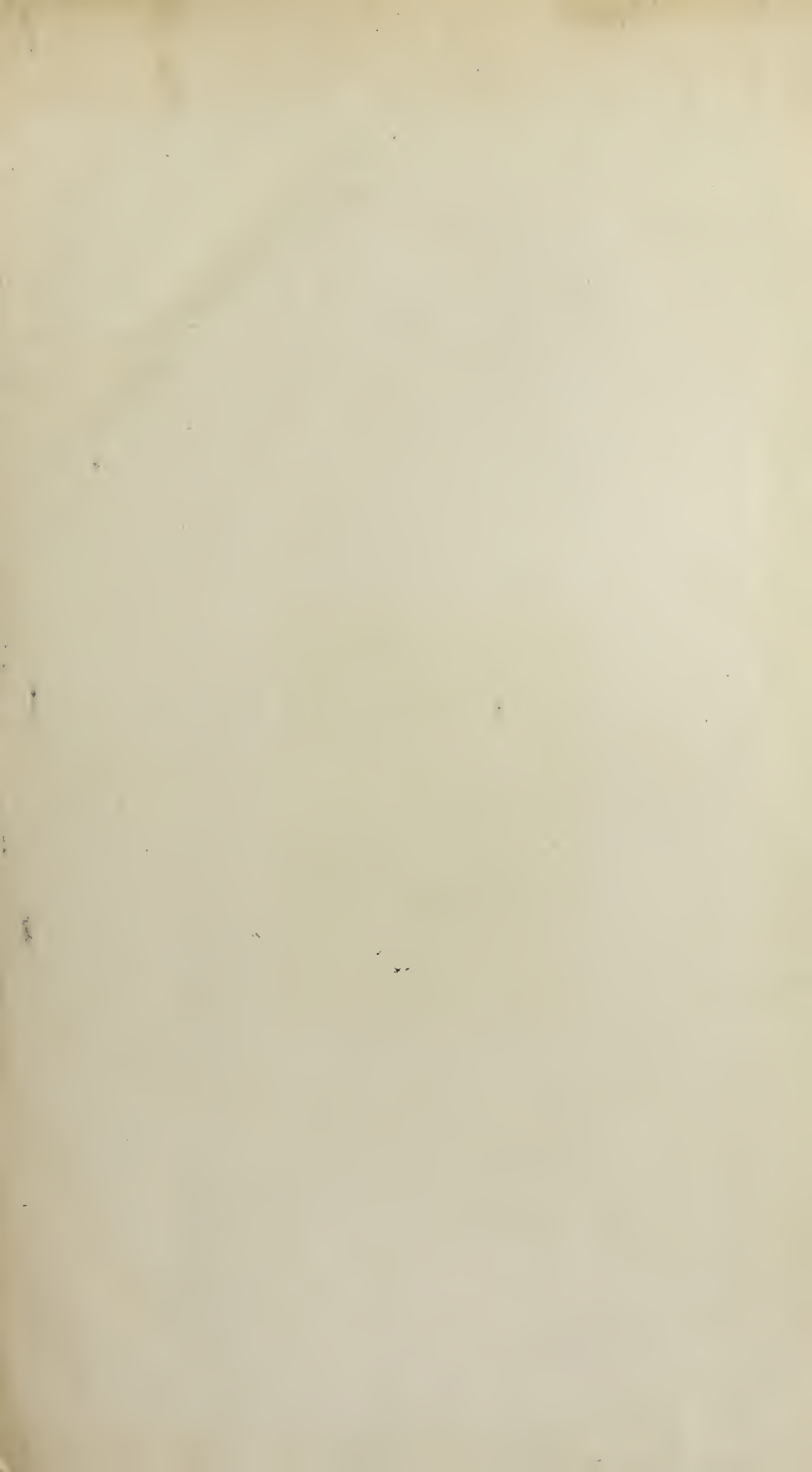
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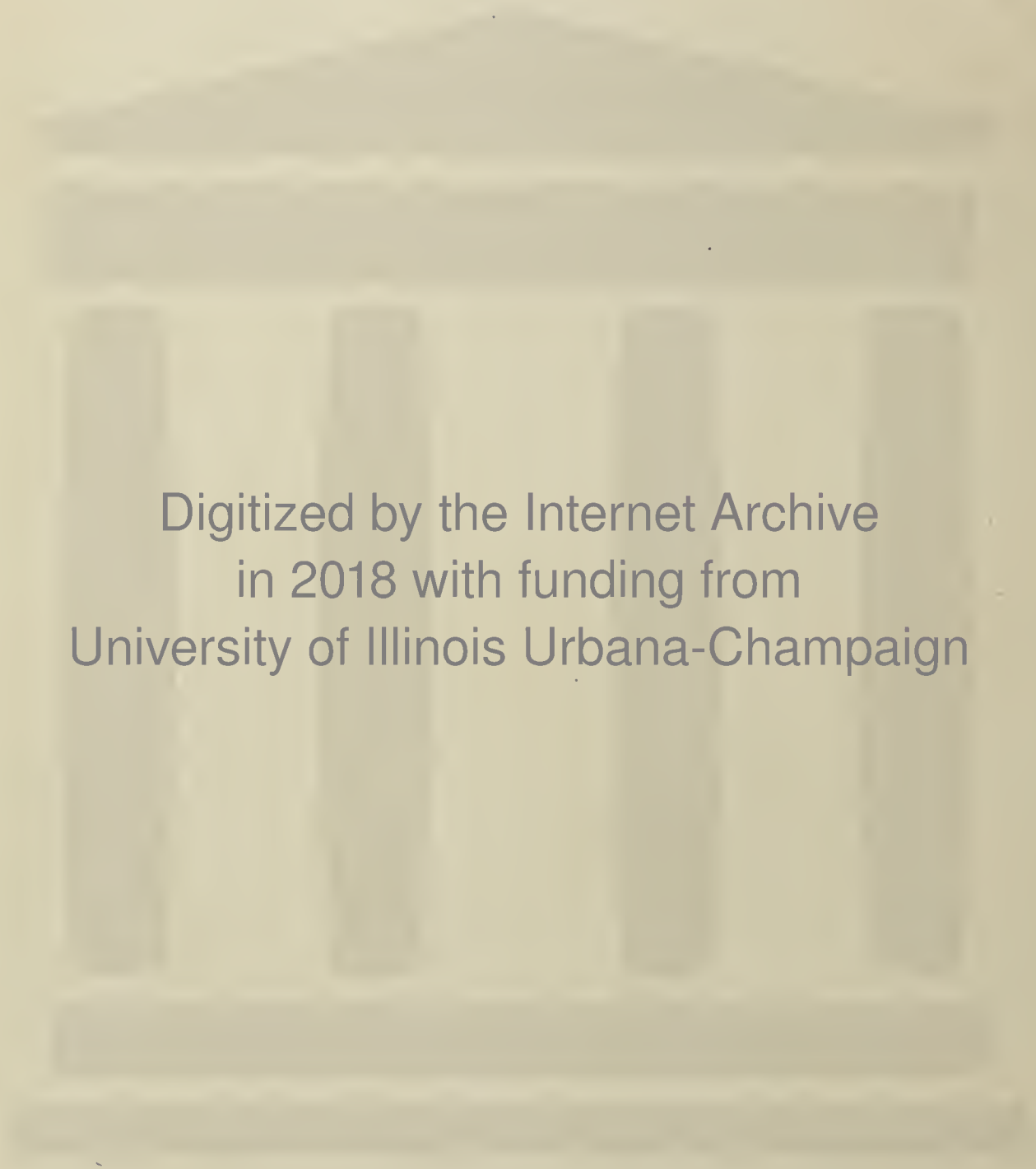
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SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,

PROBATE COURT, No. 1.

Tuesday, 2nd April 1889.

(*Sir C. Russell.*) My Lords, the sittings of this Commission—this unique Commission—have, up to to-day, reached the number of 63. There have been called before your Lordships in the course of this inquiry some 340 odd witnesses. There have been called 16 District Inspectors of the Royal Irish Constabulary Force; 98 members of a subordinate kind belonging to that force; a number of landlords and agents; 18 informers, including some convicts; one Irish priest, one of the class in the Irish community best acquainted with the circumstances and the feelings of that community, well able to inform your Lordships as to their circumstances and as to their condition. There have been also called five expert witnesses—experts on the question of handwriting. Captain O'Shea; the informer Delaney, and I am afraid I must add Mr. Soames and Mr. MacDonald; and the fifth, Mr. Inglis, called and sworn, but fortunately for Mr. Inglis' reputation, not examined.

My Lords, from these witnesses has proceeded a very large body of evidence, as to a great part of which I shall have to submit to your Lordships, after argument, and I will hope to demonstration, is wholly irrelevant to any real question in this case. For this is not an inquiry into the existence of Irish crime, for that is known unhappily to exist in every community in a greater or less degree, and in a greater degree in communities situated as those in Ireland.

My Lords, I cannot but feel in now rising to address your Lordships, that the utter, absolute collapse of the forged letters has taken out of this inquiry its pith and its marrow. It would be idle to affect that your Lordships do not know what all the world knows, that without those letters there would have been no such Commission as your Lordships are now sitting upon, and that through the charges and allegations into which your Lordships are inquiring, those letters are the only foundations on which rest the most reckless and the most caluminating of those charges and allegations running through that story of the libels in the "Times," playing the part of the warp and the weft. Even if your Lordships had the power—I presume you have not—even if your Lordships desired, I presume your Lordships could not avoid discharging the duty which the statute casts upon you, of enquiring into the remaining charges and allegations apart from those letters, and it is to that part of the case, at the outset of my observations, I propose principally to address your Lordships.

My Lords, I would ask, who are the accused before your Lordships? I will tell you. Ireland returns to the Imperial Parliament 102 representatives. Ireland returns those representatives upon the principles on which the constitution gives the right to return them. She selects her representatives to interpret her wants and her wishes, to please no section of men, and no portion of the community, but to represent her. My Lords, of those 102 members, two are returned by the distinguished University of Dublin, Trinity College. Trinity College has been, if I may be permitted to make the observation in passing, always remarkable for returning men of considerable distinction, and it is now represented by two gentlemen of distinction, but it has commonly played the part of a port of refuge or a port of call for distinguished Irish lawyers of one side of politics, on their way to the more peaceful haven of the woolsack or the bench. Of the remaining 100 representatives returned for Ireland, 85 stand before your Lordships' bar, for although upon a principle of selection that I do not understand, and do not think worth while to try and understand, only 65 have been named in these proceedings before your Lordships, the whole 85 stand firm and solid on the same public platform. Some may have been more or less active; some may have been, if you please, more or less indiscreet, more or less discreet, but they are solid on the general principles upon which they have acted, and their conduct in respect of which is, in part, impugned before your Lordships.

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[Continued.]

My Lords, there is no county in Ireland from which there is not one or other of the parties for whom I appear sitting as representatives. In three provinces of Ireland they have the entire representation in their hands, and even in the province of Ulster, which some people are disposed to speak of as if it were not part of Ireland, but were something like a suburb of Glasgow, there is a majority of the Irish parliamentary party sitting. My Lords, why do I dwell upon this? To point out to your Lordships that there is, as far as I know, no parallel in history, no parallel certainly in the division of political parties in this country, which presents so complete a picture of preponderating force of representative opinion, represented according to the forms of the constitution, as is shown in the representation of Ireland to-day. But I have another purpose in mentioning this. I want to try and raise this issue out of that unmethodical heterogenous mass of detail, with which it is at present covered. I want to point out to your Lordships that in truth the attempt is here being made, and in which your Lordships are asked to assist, to do what Edmund Burke declared had never been successfully done, to draw an indictment against a whole nation.

I will say it for the fuller purpose, not of stating what Burke says, but of pointing the meaning of what he says. What does he mean by saying that you cannot indict a nation? He means that when a movement becomes a movement of a whole people, that when there is a great national upheaval of the ordinary notions and rules of criminal judicature borrowed from the Old Bailey and from *Nisi Prius*, they have no relation to such questions; that you are dealing in a higher region, and with a broader issue than any mere ordinary rules of criminal judicature would help you in.

My Lords, for ten years, from 1879 to 1889, it is no exaggeration, it is the literal truth, to say that there has been going on in Ireland a great revolution—social partly, political partly. It is the truth to say, even so early I venture to put it, that your Lordships are here to day trying that revolution under the Queen's Commission, while there are across the Channel, in Ireland, numbers of the Queen's Courts, as regularly constituted as this, gathering for the Irish people the fruits of that very revolution. I have pointed out who the accused here are. Who are the accusers? The accusers are a company or a co-partnership, or a syndicate, I know not which, called by the public in ordinary parlance the "Times"; who, if they have been consistent in nothing else, have been consistent in their unrelenting, unvarying hostility to the Irish people, and the cause of the Irish people.

It is now a good many years ago, but the incident is an instructive one, when the "Times," during the Lord Lieutenancy of Lord Mulgrave, put into its columns these words:—"It has been proved beyond a doubt that Lord Mulgrave, has actually invited "to dinner that rancorous and foul-mouthed ruffian O'Connell." We have here in this writing the keynote to the misgovernment of Ireland. It is the fashion now-a-days to praise O'Connell, and a distinguished minister of the day, indeed the principal Irish Minister, has gone the length of claiming O'Connell a supporter of his policy. But what did the writer mean when he made that complaint against Lord Mulgrave? Lord Mulgrave was the Queen's Lord Lieutenant in Ireland, charged with the duty of the government of that country, bound, if indeed, it be true that Governments exist for the good of the people and not for the benefit of the governors, to consult by the best and every means in his power the interests, and to regard the wishes of the people over whom he rules, and yet it is made in the columns of this paper a charge and indictment against him that he has sought companionship with, has sought counsel with, has sought to get some touch point and means of contact with popular opinion and feeling in Ireland. It is this want which I shall have again and again to refer to in the course of this case. It is this absence of contact with the people, with the representatives of the people, with the means of knowledge of their wants and of their wishes that has been one of the greivous disasters in Ireland's government in the past, aye, and in the present day.

My Lords, the same paper later, again and again villified the Irish priesthood—as devoted a body of clergy as probably the world has ever seen—as a band of "surpliced ruffians." The same paper, later in 1846, again and again exulted in that cruel decimation which an artificial famine had brought on the Irish people, and exultingly exclaimed that "at last the Irish were gone, and gone with a vengeance." Unhappily for the peace of the country they were "gone with a vengeance," the fruits of which to-day we are to some extent reaping.

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The same paper in 1848 repeated that in the Young Ireland rising there would be such a rising as would enable the Queen's troops with the Queen's Artillery to mow down the Queen's subjects in Ireland wholesale. Lastly, and in comparatively recent days speaking of the emigration from Ireland draining the manhood of the country and leaving in undue proportions the old and the feeble behind, it likened that stream of emigration across the Atlantic to the passage of rats from one empty ship in dock to a laden and freighted ship—the passage from one to the other by the hawser which joined them together.

My Lords, I know not which has been the worst factor in the misgovernment of Ireland—the influence of the “Times” which undoubtedly once was great, or the influence of a section of the Legislature whose action I shall have hereafter to refer your Lordships to. If it is true to say of the “Times” that to the misuse of its influence in times gone by, and in recent days has been attributable—fairly attributable, much of that estrangement of feeling, much of that soreness of mind on the part of the Irish people in relation to England, which, unhappily, to a great extent exists. I admit that there have been gleams—transient gleams, of intelligence and statesmanship shown in the “Times,” but I say they have been far more than counterbalanced by its persistent and consistent tone, now of insolence, now of still more insolent condescension.

That this is a matter which is recognized by men not otherwise friendly to the Irish people, I would like to justify by one reference to the writings of one of the contributors to the libels in question. I mean Mr. Bagenal, I have already referred your Lordships to the books he has written, and he uses this language. Speaking of Ireland he says: “Its treatment by the English press was indignantly resented by the emigrant Irish themselves, and by their countrymen in America, and read by the light of modern events, there can be little doubt that the tone of such journals as the ‘Times’ and ‘Saturday Review’ in their treatment of Irish subjects was well calculated to excite the indignation of the principal actors in the heartrending exodus of those days. For the leader-writer of a paper to look at the ‘long agony of Ireland’s misfortunes’ as a naturalist would on an operation of nature, was entirely philosophic, and for a Government to expedite that operation was no doubt a pleasing task. But we can hardly be surprised that after the sufferings of the people under the teachings of John Mitchel and his followers, the emigrant Irish should look upon their own dispersion as anything but a philosophical or pleasing matter. Nay, that they should carry with them seeds of enmity against the country whose press treated them as they thought, so scornfully and cruelly in their trouble and exile is but natural, and that they should transmit that enmity to their offspring is almost a matter of necessity.”

My Lords, I have dwelt upon this perhaps longer than may have seemed to be necessary, but I cannot shut my eyes to the fact that the columns of the “Times” are the daily mental pabulum which feed a large proportion of the governing classes of this country. I cannot but feel that amongst these classes your Lordships may be included, and I do desire at the outset, if it will help to the understanding of this case, that your Lordships should know how the “Times” is in truth regarded—what has been its teaching in the past. But, in this reference I have one consolation. It is the recollection of the fact that it has been the fate of the “Times” to help forward to success every course it has opposed. Nor are these my words. They are the words of one of the greatest statesmen of our time, now dead. I mean Richard Cobden, who says: “By its truculent—I had almost said ruffianly—attack on every movement, while in the weakness of infancy it has aroused to increased efforts the energies of those it has assailed; while, at the same time, it has awakened the attention of a languid public, and attracted the sympathy of fair and manly minds. It is thus that such public measures as the abolition of the corn laws, the repeal of the taxes on knowledge, the negotiations of the treaty of commerce with France, triumphed in spite of these virulent, pernicious, and unscrupulous attacks, until at last I am tending to the conviction that there are three conditions only requisite for the success of any great project of reform, namely, a good cause, persevering advocates, and the hostility of the ‘Times.’”

This is the accuser. When were the accusations made, and under what circumstances? Let me remind your Lordships that, always excepting the letters which first saw the light in 1887, there is nothing which has been proved before you, except of course the proof of later crime that was not known, that was not canvassed, that was

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not discussed in the columns of the papers and in the House of Commons previous to and in 1883. The election of 1885 came, and at that election of 1885—your Lordships are not politicians, and therefore I may be forgiven for reminding you—indeed, by what promises, real or supposed, I stop not to inquire—the Irish party were helping one great political party in the state, I mean the Tory party. They sought their help—were grateful for their help, they stood upon the same platforms with their candidates, made speeches in their interest, and thanked them for their efforts. Was it supposed then that these men whose hands they took, beside whom they stood on platforms throughout the land, were the direct accomplices in crime which is now suggested.

Well, my Lords, that election passed. A distinguished, high-minded, and I will say broad-minded, sympathetic statesman went in the character of the Queen's Lieutenant to Ireland—I mean Lord Carnarvon. There had long been presented to thoughtful minds what must have more than once come up in your Lordship's minds, that there must be something indeed "rotten in the state of Denmark"—that there must be something indeed grievously, radically wrong in the state of Ireland which presents the great mass of the people—with regret be it said—not in sympathy with the law or governed for administration, but that mass of the people representing the real controlling power in the land—a power, however, not recognized by the constitution. It must have long struck thoughtful minds that surely it was at last time for trying the experiment whether the mass could not be won upon the side of the law, made a party in sympathy in support of the law by bringing that law and the government more in consonance with their feelings, and by trying that experiment which history tells has never failed—the experiment of putting upon the Irish people and upon their leaders, responsibilities for their government.

It is no exaggeration to say that in Ireland there stood and stand two powers; one the power of the Queen, constitutionally, lawfully, backed up by all the resources of the Crown, and its great Imperial executive, and yet comparatively a weak power, because it has not behind it, holding and sustaining it, that moral sanction, that moral support, which springs from a sense of benefits received, assent given, and protection afforded, and without which in the days of free discussion, and free thought, no government can in the face of the civilized world long, and permanently endure, the other power, extraordinary and unconstitutional, by men who have comparatively little responsibility, because the law and constitution have not put it upon them—moral responsibility I admit they have—legal and constitutional responsibility is what I am speaking of, yet it is the power, the real power in the land, because there goes out a willing feeling, a sanction and assent.

Lord Carnarvon thought that the time had come he should do what Lord Mulgrave was reprehended by the "Times" for doing in the case of O'Connell. I am not going to commit or suggest that Lord Carnarvon was committed to any definite views upon any political question. That is foreign to my purpose and I am not discussing that in the least, but it is clear that with the knowledge, and knowledge means assent of the Prime Minister, Lord Carnarvon in the autumn of 1885, sought counsel with Mr. Justin McCarthy and Mr. Charles Stewart Parnell with reference to the future government of Ireland. Again, I wish not to be misunderstood. I am not suggesting, nor is it material to my purpose to suggest, whether Lord Carnarvon had in his own mind any definite scheme by that; it is enough for me to say that he did, and I honour him for it. I think it right that, representing the Queen's authority in Ireland, he should put himself in communication with the popular leaders of opinion in Ireland with a view to bringing into greater harmony with the feelings of the people governed, the laws and the administrators of the law in that country. Did he believe? Did Lord Salisbury believe that Mr. Parnell and Mr. Justin McCarthy, and his followers with them, were red-handed from the commission of systematic crime, or were in direct complicity with the perpetration of systematic crime? No, my Lords, they did not! It is after that event that these calumnies are published, Something else had happened. The change of Government had happened, and that new Government proceeded very much upon the indications, so far as they were indications, of the views which Lord Carnarvon had in that matter. The great policy, as it was regarded by a considerable—I will say no more—by a large and important section of the British community, the great policy of reconciliation with Ireland was proposed. That policy of reconciliation was gratefully, gladly accepted by the Irish people, and it wrought

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in the tone and temper of that people a change so marvellous that I think it ought to teach the future rulers of Ireland that, while its people and their contest for the rights of self-government cannot and will not be abandoned and surrendered, that they cannot be put down by force. Yet they have peculiarly accessible feelings and characteristics peculiarly grateful when they see the attempt made, and honestly made, to meet their views and their constitutionally expressed wishes. But that policy was rejected. The country was not ripe for it. Ireland, of course, pronounced for it; Scotland pronounced for it; Wales pronounced for it; England did not. The amount of prejudice, of ignorance, of want of information, of prejudice of race, of prejudice of religion, still hung round the question to some extent. I am glad to think to a less extent, but still hung round the question.

My Lords, I have mentioned who the accused are. I have mentioned who the accusers are. I have mentioned when the accusations were made. What are the accusations? At this stage I am not going to deal with them in detail; that I will do at a later time, and when I do I shall take them, not from the milder gloss which occasionally the language of the Attorney-General has sought to put upon them, but I shall take them from their original source, as they originally appeared, as they were intended to be understood, as they were understood. For my present purposes, my Lords, it is enough to say that the accusations may be broadly stated thus. That the movement in Ireland was carried on by its leaders by means of an organized and paid system of murder and outrage, which such leaders carefully calculated upon and coolly applied, that they aided, with money and otherwise, the flight of criminals from justice, and that the public denunciation of crime, including the Phoenix Park murders, which were uttered by them, were lying, false and hypocritical.

Need I point out, if I have rightly stated those charges, that those are charges of the gravest criminal significance. This is no charge of moral responsibility for crime, incidental to a great public and national movement and organisation. It is a deliberate charge of systematically, coolly calculating and deliberately applying a system of murder and of outrage, and I have to ask the question? If, as I cannot doubt, I have rightly stated the case, why did not the Government prosecute? Why are we here before your Lordships Court instead of standing in the dock at the Old Bailey, if a dock large enough could be obtained, and why were we not standing years ago in that position? My Lords, I am not making in this case one word of a party speech, Politics I must refer to "Party," I shall not, in any "party" sense refer to, I am not here to attack one Government or another, one party or another; the government of the party which is not now in power did prosecute a certain section of the Irish leaders. My Lords, in the multiplicity of details with which this case has been overladen, your Lordships may have forgotten the fact. In the autumn of 1879, in the end of 1879, and the beginning of 1880, a number of the gentlemen who are here before your Lordships, were charged with conspiring—I think the form of the indictment was—

(*Mr. Justice A. L. Smith.*) 1881, I think.

(*The President.*) I remember all about it except the date.

(*Sir C. Russell.*) I am right if your Lordship will forgive me, Mr. Davitt was prosecuted in 1879. Mr. Parnell was prosecuted in 1879.

(*Mr. Justice A. L. Smith.*) Quite right, there were two prosecutions.

(*Sir C. Russell.*) Yes, my Lord, prosecutions have been instituted.

(*Mr. Justice A. L. Smith.*) I thought you were alluding to what are called the State Trials. There were trials since.

(*Sir C. Russell.*) That was later.

(*The President.*) We thought you were referring to that. Pray go on, Sir Charles. It was only because we thought you were referring to something later.

(*Sir C. Russell.*) My Lord, I am obliged. What has been called the State Trial was in the end of 1880, and the beginning of 1881, and terminated in fact in January, 1881. Up to that time, and for the purposes of that trial the charge was as well as I recollect it—I will be glad to be put right if I am wrong—the charge I believe conspiring to induce or to prevail upon or to intimidate—I am not sure what form it was—certain classes in Ireland, meaning the tenant farmers, not to satisfy their legal obligations. That was the substance I think of the charge, and as Mr. Healey, who is one of the accused before you, humourously remarked the other day when some of the speeches were being read, that he had already been tried upon some of those

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charges, and he wanted to know whether before your Lordship the plea of *autrefois acquit* might not be put in, but it is the fact that up to that date, namely the end of 1880, a number of the speeches which have here been relied upon as evidence of the criminality of those defendants were made the subject of the trial which resulted in the disagreement of the jury, the exact figures of which I do not trouble your Lordships with, because of course they are not always to be relied on. That the Liberal Government did, and neither the Liberal Government nor the Tory Government has shown the slightest indisposition to prosecute the Irish members when in their judgment there was sufficient reason or cause. We have had in recent days a number of prosecutions of publicans for refusing drink to the police; of carmen refusing cars to the police; of newsvendors for selling newspapers of an objectionable kind; of newspaper owners, of foreman printers of newspapers, and I think prosecutions against no less than 24 members of Parliament. Therefore a Government of neither party has shown any indisposition to prosecute where they believed there were grounds for prosecution. The influence I need not add of the Irish members and of certainly a very preponderating portion of the Irish people have shown that disposition to prosecute where there were no sufficient grounds for it. Why, then, did neither Government take this, and why is it that we are here; why is it that this case is being conducted at the instance of what I may call for this purpose, a private prosecutor? My Lords, the only answer that can be given, and I submit it is the proper answer, is because the advisers of the Government—those who knew the whole state of the case—did not believe, however they may have in their minds condemned the conduct, characterised the indiscretion it may be, of Irish members, they did not believe there was any just, real, tangible ground for making the charge criminal against those members.

Now, my Lords, I have put those questions and so far answered them. There are one or two others I must still put and proceed to answer. How has this case been conducted before your Lordships? I say, while in form it is not a Government prosecution it has in fact been conducted in a way which has given to the prosecutors all the advantages of a Government prosecution, and given to the accused none of the advantages which they would have been entitled to had it been in form a Government prosecution. I wish not to be misunderstood. I am not canvassing or discussing the question whether it is not perfectly right that the Government should give all the assistance they can to the prosecution. For my present argument, I am most willing to assume, and do assume, that they would be perfectly right and justified; but what I am desiring to point out to your Lordships is, the way in which that has worked. What has been the state of things? Why, my Lords, Lincoln's Inn Fields has, at times, presented much the appearance of a camping ground for that military force known as the Royal Irish Constabulary, collecting to form a *posse comitatus* of a sheriff on his way to a great eviction scene in England. Mr. Soames's office, we have heard in the course of the case, has been constituted a kind of police register for the Royal Irish Constabulary Police in London. We have had, thick as leaves in Ambrosia, district inspectors and magistrates crowding even the very benches where the Counsel of the Queen sit, aiding, helping, and suggesting the conduct of this case. We have had magistrates assisting and taking evidence, and policemen seeing witnesses personally—personally conducting them, buying their tickets, paying their conduct-money—we have seen secret documents produced, of which more will have to be said hereafter, and placed at the disposition of the prosecutors. We have secret spies enlisted in their service, and we have had the gaols of the country, the gaols of the kingdom scoured to see whether from the refuse there there might not be produced witnesses who will lose some little bit of work in trying to defame and to blacken the character of the Irish Parliamentary Party. This is a serious thing, more serious than I thought it to be, when I have only learned, as recently I have learned, that this was done, not merely by the Walkers, and the Thompsons, and the Shannons, but done by police officers in considerably high authority, and done even by that wretched man whose name I must hereafter refer to—I mean Pigott. All these people going to these gaols in the character of friends of the convicts, and going as they were to pay friendly visits which the rules of the prison enabled to be paid, to break the steady and dreary monotony of their convict life. My Lords, this suggests a serious reflection. A man sentenced to

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20 years' penal servitude, character lost, separated from wife and children and kinsfolk, is visited, is told that he may have the opportunity of coming and giving evidence, is asked whether he knows anything to incriminate Mr. Parnell or Mr. Parnell's colleagues; for I suppose he would hardly be a more careful emissary than Mr. Houston was when he gave that famous commission to Richard Pigott, to see whether he could or could not obtain documents incriminating Mr. Parnell and others; and, my Lords, without any vulgar temptation, without even suggestion of possible benefit, eager hope in the wretched convict's mind would conjure up the picture, and he would believe that if he could give evidence, valued by those who approached him, the prison doors might earlier be opened for him, and the light of God's help shine upon him, and he might see, once more, his friends, his kinsfolk from whom he was so separated. My Lords, with those temptations, tried as one cannot doubt with the facts we know, again and again, it is a marvel not that the man Delaney has come and said what he said, but that he has not been able to say more, and that none others have been found of the scourings of the gaol to come and add their story to this tale of infamy and calumny. I say, then, that this case has been conducted with all the advantages to the accusers as if it had been in the form of a Government prosecution. I say, on the other hand, it has been conducted without any of the advantages to the accused which would have been shown had it been in the form of a Government prosecution. My Lords, if this were a Government prosecution there would be a preliminary inquiry; at that preliminary inquiry the accused would have heard the evidence against them. They would have had the right of cross-examination; they would have had an interval between the magisterial inquiry and the actual trial in the ultimate Criminal Court, of considering their position, of inquiring into the antecedents of the witnesses called against them, and if it had been, as frequently happens, that between the magisterial inquiry and the actual trial fresh evidence had been forthcoming, it would have been the duty of the prosecutors, according to the known and humane practice observed in these proceedings, to have furnished to the accused and to their advisers copies of any fresh evidence proposed to be tendered against them. What has been the case here? I state in the presence of my learned friend—the Attorney-General is not here, my Lord—but I say it has been a game of surprises. I say deliberately again, a “game of surprises”; and I will ask your Lordships to judge in a moment whether the reasons upon which this course of action are justified, are sufficient or not. I say that they have, so far from giving us any particulars that were of any real assistance, given us none; that they have abstained from giving us in answer to repeated inquiries and demands, notice of witnesses or even the subject on which the witnesses were to be called. I will do my learned friend who is sitting near me (Sir Henry James) the justice to say that he has more than once tried to give me such assistance, but he has only been able to give it to me to a very imperfect degree, but I submit to your Lordships broadly, with the full assent of my learned friends, that as regards the most important witnesses called before you, until they were called into the box, we had no notice of them, and had no knowledge of their antecedents. As regards many persons coming from the locality in Ireland, frequently we had that information because it was known—it was talked about in the neighbourhood, that they had been subpœnaed and brought here by the police; and so the fact of their coming became known to us. All we knew was that they had been subpœnaed, but not when they were coming, much less what they were coming about. We had no information.

I will give your Lordships one illustration of this, the case of a man called Walsh, from Kiltimagh, Mayo—a boy he was. The Attorney-General was instructed to get up and state that he was obliged to call this witness out of his turn, because there were urgent reasons why he should be examined, and why he should go back to Ireland. That boy Walsh was called. My Lords, Mr. Lockwood, when he was in the box, said, “I think I have got a letter about this man.” He went for the letter, and it was handed to me when I was in the act of cross-examining him; and upon that lad's confession, it appeared that he had been guilty of at least three acts of fraud and of dishonesty, and certainly with the assistance of that letter I think we were able to show to you that he was not a witness whose unsupported testimony you would place much reliance upon. Why was that witness launched at that stage of the day? I await the explanation, and I hope the explanation is forthcoming. He was the witness

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you will recollect who had the interview with Allan Bell, the District Inspector, and to whom if the witnesses' account is reliable—I am sure I do not know whether it is or not, and I do not want to be unjust to Mr. Allan Bell or anybody else—Oh, Mr. Allan I am told it is, not Allan Bell—but according to the witness Walsh, this policeman, before he was told he would be required to give evidence here, delicately insinuated to him that he was liable to be prosecuted for one of those acts of fraud or dishonesty which he had committed. My Lords, it has been the same through the piece. The man Delaney, the man Beach, or Le Caron, whom I regard—I may, of course, be wrong in taking that view of the case—but whose evidence I consider the most valuable that has been given in this case in the interests of Mr. Parnell, was examined here, but we never heard his name; we knew nothing about him. I might go through the whole catalogue of witnesses and tell you the same. It has therefore been a game of surprises in which, deliberately, for reasons I presume they thought adequate, my learned friends have kept us in the dark as to the substance of their evidence, and the witnesses who were to depose to it. What was the reason given? I understand no reason to be given or suggested, except two—two very grave reasons if well-founded. One was the dread, as I understand it, of the witnesses being tampered with. So far as I recollect, there have been in the whole course of the case only two suggestions bearing upon that point. One was the suggestion that one witness was taken by an Irish friend of his who apparently sympathised with Mr. Parnell and Mr. Parnell's colleagues to the office of Mr. George Lewis. The other was the suggestion which the Attorney-General made (I am sorry he is not able to be here) for which he has not yet made the apology which he must in some form or other make before this case ends; I mean the imputation which he made upon my learned friend, Mr. Harrington, and upon Mr. Harrington's brother, although they indignantly denied it before your Lordship's Court, that they had at the adjournment sought to tamper with one witness. The other suggestion was that communication and knowledge and names of these witnesses might expose them to danger. That of course is a subject which naturally affects one's mind; but there has not been through the whole of this case, so far as I am aware, a suggestion that there was any appearance of danger or attempt in any shape or form, with these two exceptions I have mentioned to your Lordships, in any way to interfere with any of these witnesses. But even these reasons would not have applied to a very large mass of their witnesses—land agents, landlords, their policemen, their police agents, the district inspectors and the magistrates. I say it, because I have found the greatest difficulty in this muddle of the evidence in putting it into some shape or methodical form.

Further, I say that this case has been pressed pertinaciously, not as if this were a criminal case, but as if it were a struggle over the flimsiest issue at *Nisi prius* who should get the verdict. There has been no sense of generosity to a number of men, colleagues in Parliament of two of my learned friends; and, my Lords, this, forsooth! although your Lordship's constitution in this Commission was supposed to have been graciously conceded by a gracious Government to enable Mr. Parnell and his colleagues to have an opportunity of freeing themselves from grave imputations; this, my Lords, although, forsooth! the position taken up at the beginning, the initial stage of this inquiry, by my learned friend, Mr. Graham, and persevered in with greater or less fervour by the Attorney-General, was that the "Times" were here, not in truth in the character of prosecutors, seeking by hook or by crook to stamp indelibly the character of criminal infamy upon the defendants, but that they were here, forsooth! as impartial friends, to enable your Lordships' to arrive at the truth and justice of the case. My Lords, this is in its essence and in its nature a criminal case. I cannot but recall an incident which happened during the time when my learned friend near me was Attorney-General. A clergyman from the North of Ireland, a Presbyterian Minister, during the trial of some dynamitards was in London and was anxious to see the trial then proceeding at the Old Bailey. He went and heard it. He is a well-known person in the North of Ireland—Professor Dawney. When he returned he said he never was more amazed in his life. He said if criminal trials in Ireland were only conducted as that criminal trial was conducted, then indeed the law would be respected as a different thing; and he gave to my learned friend that praise which he so fully deserves, but which, of course, was merely for pursuing conduct which we all knew he would pursue, of extreme fairness towards the prisoners and extreme

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desire manifested that nothing should come out that was not strictly relevant to the issue and strictly evidence in the case. But I say all that has been forgotten and reversed in this case, and we have been (I will not say unscrupulously, but pertinaciously) fought inch by inch, as if this had been something which concerned merely the private rights of parties, in place of involving great criminal charges against the representatives of a great political party.

Further, I charge that this case has been conducted with the purpose (unavowed, but with the purpose) by a repetition of these sad incidents of crime, by calling witness after witness to prove facts of crime which were not in dispute, I will not say of prejudicing your Lordships' minds (although it would be a marvel that it had not to some extent done so), but for the unavowed purpose of deepening in the public mind the prejudice existing, already grievous and sad enough, and with a view of suggesting that the Irish people are a nation of criminals, for I do ask your Lordships, if that was not the purpose unavowed, what was the legitimate object which was to be served by calling to tell their sad and distressing story in the gaze of the public and in their widow weeds Lady Montmorres, and Mrs. Blake, and Mrs. Curtin, and Mrs. Fitzmaurice?

My Lords, one other point in this connexion. Before your Lordships the case has been a good deal put by the Attorney-General as being a criminal charge of criminal conspiracy, the criminal conspiracy being the Land League, criminal with reference either to its means or to its object, or with reference to both. I need not point out that putting the case in that way has opened wide the doors of evidence in a way that in no other form could be done, because, to begin with, it enabled the prosecutors, not starting with the proof of the conspiracy and the making out of its illegality, to prove a number of facts, promising to show the relevancy of these facts and asking your Lordships to draw, as in conspiracy cases I admit juries have been asked to draw, from the whole of the story the fact of the concert and conspiracy as the result. What does this doctrine of conspiracy mean? If the illegal combination or conspiracy is to be the Land League, or, in its later stage, the National League, of course it means that a man in a remote part of Kerry or of Cork who was a member of the Land League was responsible for what Mr. Parnell did, who was a member of the Land League, although he had never seen Mr. Parnell, and knew nothing about what he had said or what he had done; and equally the converse: that Mr. Parnell would be responsible for what a man in a remote part of the country whom he had never seen and whom he had never spoken to, and over whom he had no control had done. I say to begin with (and to this I shall have at a later stage to recur), that is not the case made in these libels. That is not the case which your Lordships were asked to try. But I am dwelling upon the grievous hardships which it has inflicted upon the accused. I could give many illustrations. I will give one. Under this view of conspiracy (and I pray your Lordships to understand I am not complaining of any ruling of your Lordships; I am pointing to what I conceive to be the grievous consequences and injustice from the course that has been taken by the prosecution) the man Le Caron has been allowed to state what Egan told him, what Brennan told Egan, what Sexton had done and said to Brennan. Let me repeat it. Le Caron has been allowed to state that Mr. Egan told him, Le Caron, that Mr. Brennan had told him, Mr. Egan, that Mr. Sexton (now the Lord Mayor of Dublin) had aided Brennan in his flight from justice. So that fourth hand the statement has been sown broadcast, and Mr. Sexton, holding a responsible public position and a Member of Parliament, on this statement, fourth-hand of Le Caron, on this doctrine of the law of conspiracy, is supposed to be affected by such hearsay testimony as that.

Lastly, I complain that no attempt has been made—certainly no successful attempt has been made—to present this case to your Lordships with any method. There has been thrown down before your Lordships a heterogeneous, confused mass of evidence, a tangled skein, without any assistance to your Lordships in unravelling it, with no order of time, no order of subject, no order of place, no order of person, and it was left to me and my learned friends to endeavour, as we shall do, out of this mass of evidence, in large part irrelevant, as we submit, in large part, where relevant, unreliable, in small part new, to draw the real issues which we submit this Commission has to try. I say nothing of the intolerable burden of anxiety, of expense, which this Commission casts upon these accused; but in leaving this part of the case I will say that, apart from

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the letters, so far as evidence of direct complicity with crime is concerned, either as *a priori* being a party to or authorising it, or by being a party to its condonation and to its protection, there is no evidence, if I were to sit down this moment, upon which as I submit to your Lordships, if you were sitting in a criminal court, you could allow the case to go to a jury.

But I rejoice that the time and the occasion have at last come when the accused can be heard broadly in vindication, and justification, and explanation of their conduct and of their policy. It will be necessary that I should trouble your Lordships at, I am afraid, considerable length. Your Lordships will expect from me no apology for doing so. It will be necessary to trouble your Lordships with a political retrospect; it will be necessary to trouble your Lordships with the social history of Ireland. I shall ask from your Lordships only on this part of the case an attentive hearing. That I am sure I shall have. I would, of course, be glad if I could count upon a sympathetic hearing.

Now, what is the outline of the case presented by the Attorney-General? I have spoken in general language of the charge or charges. How has it been presented in the Attorney-General's opening? I have said it has been an undigested and unmethodical mass of evidence, and nothing more, so far as evidence goes; and I am sure I shall not be misunderstood when I say (I feel bound to say it) that the Attorney-General has not made even the attempt, in his opening, to afford your Lordships, by any statesmanlike introduction of his case, any clue to the position of things in Ireland, without which clue the position of things in Ireland must be misunderstood.

My Lords, the causes of the difficulties in Ireland in 1879 are deep down in the history of Ireland, and do not let it be said, if I trouble your Lordships not at great length with a retrospective history, that I am only raking up musty ancient history. In order to understand the feelings, motives, and springs of action of nations and of individual men, and the leading citizens in a nation, you cannot avoid looking back to the earlier history of the country. As well might one attempt to understand the genius of the English people and of English institutions without reference to the Revolution and the Bill of Rights and the Reform Bill and Free Trade; as well might one endeavour to understand the position of Frenchmen and the views of the French people without reference to its great revolution and the history of its earlier and its later Empire, as to endeavour to understand the position of the Irish question without reference to its earlier history and the economical and the social causes which have brought about the condition of things in Ireland, which has been the fruitful cause of crime. In any case this would have been a task which I should have been bound to undertake. From the mode in which the case has been presented by the Attorney-General, even if I were minded to avoid it, I could not avoid it. The Attorney-General has thrown down the challenge. I must take it up. What was his opening? So far as his view is concerned, Ireland might as well have been dropped from the firmament starting on a new career in the year 1879; so far as his opening is concerned, Ireland was the modern Arcadia, a kind of Garden of Eden before the intrusion of the serpent; a country in which happy patriarchal relations existed between the Irish tenant class and the landlords; the landlords looking down with parental regard upon the interests and the conditions of their tenants; the tenants looking up with eyes of reverential gratitude to their friends and protectors the landlords. The Attorney-General said that there had sprung up in Ireland from and after 1879 to the disgrace of the country and the character of its people crimes unknown before. Crime had not followed evictions; no such thing as land-grabbing was heard of; no such thing as denunciation of land-grabbing; no such thing as interference with the payment by external pressure of unjust rents; no objection taken to the man who tenanted an evicted farm; no evil consequences followed to him. There were indeed, said the Attorney-General, occasional murders of landlords, but the character of recent crime in Ireland from 1879 had been not that they were the murders of landlords, but it was a hopeless grinding tyranny of helpless tenants. That picture is utterly absolutely historically false.

The very same things that happened from 1879 to 1883 have happened in former times in Ireland as I shall show you, but in a much greater degree, (God be thanked for the improvement). I shall show you that from the same causes the same results in greater volume have flowed, and if this be established, if I shall prove that by facts and figures, then I shall go far to establish that the Land League was not the

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fons et origo mali of the troubles of 1879; that the crimes of 1879 and of subsequent years sprang, as previous history and experience had shown, from the same causes—causes which received peculiar force and operated with peculiar effect in recurrent periods of distress.

And, lastly, I shall show your Lordships in this connexion that in the year 1879 the third of a bad series of years (for 1877 was bad, 1878 was bad, 1879 was bad), there were in the public mind of Ireland hideous recollections conjured up again and apprehensions of a recurrence of the state of things which had decimated the population of Ireland in 1846 and in 1847. Famines again and again recurring—not the famines of Egypt of old or of India of later days; not famines where the hand of Nature had withheld its gifts in sufficient abundance for the support of the people, for in the worst of these years Ireland had produced and had sold and had exported, to pay unjust rents, tenfold sufficient to have supported the population and kept it alive.

My Lords, the Attorney-General went further. He said that the Land League was a pretext and a cover for a political movement. That the aim was not the relief of distress—not to keep famine from the peasant's door; not to preserve him in the enjoyment of his little home and holding, but that the object was to strike at Irish landlordism as representing the English garrison in Ireland, with a view to secure the ultimate independence of Ireland, and the construction of an Irish Republic in that island. In making that statement, the Attorney-General, your Lordships will recollect, was but following one of the heads of the particulars, if such they can be called, which have been delivered under your Lordships' order. He says the motives for this movement were partly personal—personal ambition. He did not say personal aggrandisement—personal ambition; but that they were not in any real earnest sense of those words addressed to any real social grievance. My Lords, I have said that the earlier portion of his statement was historically, literally false. It would be perhaps too much to expect the Attorney-General, although he is a member of a Parliament which legislates for Ireland, to know much of Irish history. But his colleagues, my learned friend Mr. Murphy, and my learned friends Mr. Atkinson and Mr. Ronan, whom we of the English bar are all pleased and glad to see here, I think might have supplemented the Attorney-General's want of information on this point.

I shall have to show your Lordships in my discussion of this question, not merely how false this picture is historically, but how completely the parallel can be drawn between the former existence, not at one but at several periods of time, of recurrent distress, recurrent oppression, and recurrent crime; but I shall also find it necessary, in order that your Lordships may appreciate the political part of the charge which the Attorney-General made and which is imputed in the particulars to which I referred, to trouble your Lordships with a short sketch of the political movements of the country.

In dealing with this I again repeat in no sense shall it be a purely political question. I shall have to speak of movements perfectly constitutional and of movements unconstitutional and against the law. I can only ask your Lordships in considering and in following me in this statement to try at least, in regard to that statement, to bear in mind that those unconstitutional movements always aimed or professed to be aimed at the assertion of the right of the Irish people to have a potent voice in their own government, a potent voice in the making of the law which they were called upon to obey and to reverence. I will only ask your Lordships, if you can, to extend to me and to my story the same broad considerations which the British-speaking public have commonly extended—while not often approving, it may be, of the methods pursued, nevertheless always extended, at least in the case of other countries—of Poland, of Hungary, of Lombardy, of the Slav provinces—the popular movement, often irregularly conducted, and by means which could not carry moral approbation in some circumstances, looked upon it at all events with sympathy, because of the motive, the national, the patriotic movement, which underlaid their efforts; and in speaking of this movement I would remind your Lordships that these men at any of the periods, after all showed their sincerity in this that they carried their lives and their liberties in their hands; and that if you disapprove of their aims or disapprove of their means, and condemn the wrong-wisdom, at least it cannot be imputed to them, or as far as I know, to any of them, that they had personal aims of personal aggrandisement.

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I now come to a short sketch—a political retrospect with which I must trouble your Lordships. Whatever difference of opinion may exist in reference to the Parliament of Ireland of 1782, one must at least admit that it was one which had its existence under conditions of great difficulty. It did not in any sense represent the Irish people. It cannot be new, I think, to any of your Lordships to state that not only was no Catholic eligible for membership in that Parliament, but that no Catholic even possessed the right of franchise to vote for a member of that Parliament. And therefore, when the Imperial Parliament at Westminster gave its adhesion to that scheme by the celebrated resolution that the right of that Irish Parliament should never thereafter be questioned or questionable, it gave its adhesion to an experiment which I admit was tried and failed. But, my Lords, it was an Irish Parliament, it was subject to a force greater than law—of local public opinion in Ireland—and narrow as was the basis upon which it rested, little representative as it was, it, in its short career, gave promise of bringing itself in accord with the general wants and wishes of the whole of the Irish people. My Lords, it was in that very year, 1782, that, for the first time since the introduction of the penal law, an Irish Catholic could hold a freehold of an inch of Irish land; and it was a few years later, in 1793, that that Parliament and the ascendancy party—for it was the Parliament of the ascendancy party—first opened the doors of the constitution to the Irish Catholic voter.

It was a germ capable of infinite development for good, mainly because it was an institution breathing the breath of popular opinion in Ireland, subject to being influenced by that breath, capable of development in the direction of the aspirations of its people.

My Lords, I pass by the hapless story of the Rebellion of 1798, fomented, as I think most historians now admit it to have been fomented, by external causes and agencies. I pass by the Act of Union described by one of the most distinguished historians of our time, and one not in political sympathy with those I here represent—I mean Mr. Lecky—it was an Act which by uniting the Legislature divided the peoples.

I could dwell upon this, for herein, in my humble submission to your Lordships, is the root of the Irish difficulty, that from the moment that Act passed, the governing class in Ireland—mainly the landlord class, mainly the ascendancy class, mainly the class separated by religion and often by race from the bulk of the people, ceased to be thereafter under the influence, the control, the impulse of the opinion of the people amongst whom they lived; and from whom they derived their means of supporting their stations of dignity and of affluence,

My Lords, from that date they ceased to care for or to regard Irishmen's opinion. They looked to England in times of trouble and of difficulty. They cried as from the housetops, that they alone were the class to be depended upon; that they alone were loyal; that they alone were true to the British connexion; that they alone were the class that were to be depended upon to hold and support this connexion. And, my Lords, the result of that is shown in the history of the dealings of that class with their tenants, which is the cause which has led to the state of things which your Lordships are inquiring into here to-day.

The idea that I would impress in this connexion upon your Lordship's minds was well expressed the other day by a distinguished living statesman when in view of one of these too often recurring scenes of wholesale evictions in Ireland, that statesman in his place in the House of Commons addressed to the Irish landlords the appeal that they would exercise their rights so as not to offend the conscience of the English people. Not an appeal to them to regard their own people—not an appeal to bring them into harmony and consonance with those by whom they lived, but so to exercise their rights as not to offend the conscience of the English people. My Lords, that was the significant language of Lord Hartington.

I pass by the attempt, the unsuccessful attempt, at revolution in the time of Robert Emmett, who on the scaffold, young in life, paid the penalty of his political crime. I pass by the story of the long contest for Catholic emancipation, promised in 1800, and only granted in 1829, when the Duke of Wellington said that the alternative was civil war. I pass by the Tithe War, for I must come to that in the history of the crime of Ireland. I pass by the Repeal Movement and the Young Ireland movement with one passing comment. The Young Ireland movement in 1848,

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in its later development, was unquestionably an unconstitutional movement—a physical force movement in itself, in the English mind principally associated with the aspect of the case; but, my Lords, that is not the true import of the story of the Young Ireland movement of 1848. That physical force, part of it, was but an insignificant and unimportant part. That movement was the precursor in its earlier stage of the later and stronger and more successful movement with which the name of Mr. Parnell is associated as its leader, carried on by him under happier conditions, with an amended public intelligence, with a broader branch, and with a broader platform of action. Of this Young Ireland movement, in connexion with which are such honoured names as O'Brien and Thomas Davis, and John Mitchell—with all his faults as to methods and as to means—Charles Gavan, Duffy, and many others whom I could name. To that party is to be attributed that they sowed the seeds then amongst the Irish people of self-reliance and unsectarianism, which had too often blotted and corrupted Irish movements. Insisting, as they did, upon the right of self-government, working by might and main for the remittance of what they considered social grievances, and for church education. The reward at this time was death, prosecution, exile, broken hearts, for some of them. Of those who survived, one may point to Sir Charles Duffy, who, hopeless of any success in his own land, goes abroad to Australia, and, in the free air of a self-governing colony, rises to the highest position that that colony could afford him, as Speaker, as Prime Minister, and comes back in his advanced years here, the often aforetime persecuted in Ireland, to receive titles and dignities at the hands of the Sovereign.

My Lords, there are other names not so directly associated with the political movement in Ireland at this time, but honourably associated with the creation of a body of literature little known, I fear, to your Lordships, and little known in this country, but a body of literature which, considering the circumstances under which it came into existence, and the comparatively brief period over which its efforts extended, is creditable to the genius of the nation and to the efforts of the men who produced it. And notable amongst those names are the names of Mr. Justice O'Hagan, the president of the Land Court in Ireland, of Sir Charles Duffy, of John Kells Ingram, of Trinity College, Dublin, and a number of others whose names I will not stop to recite.

My Lords, after this movement of 1848 there came a relapse, and I would ask your Lordships to note, for it has significance and importance in the consideration of this question, even the very question before your Lordships, how the waves of constitutional and unconstitutional agitation succeeded one another, and how after the country has made an effort in a constitutional direction and has failed, it seems to fall back into the slough of despond, and then secret societies and illegal combinations burrow the country, working their evil work.

In 1852 the country pulled itself together again. They had in Ireland a strongly restrictive franchise. They have to this day, compared with England and Scotland, a strongly restrictive municipal franchise. I am now only referring to the Parliamentary franchise. So remarkable is the contrast, that, given two towns of equal population—the one in Ireland and the other in England—the English town would have twice, sometimes three times as many voters as the town of corresponding population in Ireland. There was in these days also no right, except the right of open voting. These were the times when, as record after record shows, the voters were driven to the poll as sheep into a pen by the landlord, the agent, and the bailiff. But still, in face of great difficulty and by great sacrifice, a party was returned to the House of Commons, at Westminster, pledged to independent opposition, pledged to land reform, pledged to take no office, but to hold aloof from every Government that did not make that the capital question.

The prime figures of that movement were again Sir Charles Duffy, and a noble-hearted Englishman of great head of great magnanimity of character, Frederick Lucas, who went to Ireland in no sense as a politician, who went to Ireland to edit a Catholic paper, but whose great and magnanimous heart and sympathies were touched by the oppression which he saw around him and who threw himself heart and soul into the question to try and relieve the people among whom he had chosen to live, from some portion at least of the oppression that weighed upon them.

My Lords, they started a tenant league in the North and the South. The representatives of the South were Lucas and Duffy, Sadler and Keogh; in the North, Rev. Dr. M'Knight, Presbyterian minister, the Rev. John Rogers, then or afterwards Moderator

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of the General Assembly in the North. The story of that independent opposition is a shameful story, and I pass it over—a story of violated oaths, of broken pledges, and of again a relapse of the Irish people into the slough of despond. They had with effort and sacrifice sought to create and maintain this party—a great majority of the party were honest, but they had failed in obtaining redress; they had tried, implored the British Parliament to deal with this land question and had failed; and then years passed over and a state of representation of Ireland occurred which I will not dwell upon beyond saying that it was a self-seeking and not a creditable representation.

Meanwhile events had been happening abroad—across the Atlantic—which have an important bearing on one part of this case. The stream of emigration had been going on to America. A new generation had sprung up there. The American War of North and South had taken place. In the Armies of the North principally many Irishmen had served, and amongst those men, My Lords, and from those men mainly came the impulse of this Fenian movement which began to raise its head very soon after the cessation of the American War, which had become undoubtedly an important factor in the secret movement in relation to Ireland. I have pointed out the constitutional efforts made in 1852, and for years subsequently. Now we have the unconstitutional, the illegal, the secret movement. My Lords, I wish to be quite plain with your Lordships in my treatment of this, as of every other movement. I think that a distinguished politician of our day, and a member of the present Government was most unfairly treated, when he expressed his views as far back as 1868, about the true character of the Fenian movement. I mean Mr. Henry Mathews. He, with great courage as I then thought, and think now, at a time when there was a great tide of popular prejudice, and he thought misrepresentation against the Fenians said some words, at least in palliation if not in justification of their conduct and position. My Lords, it is true to say of the Fenian organisation as it then existed, that it was not a party of assassination, but that it was a party that looked to physical force for the redress of Irish grievance. What some sections of it may, or some organisations of it may in later days have developed into, when its great and responsible heads have been drawn away into the constitutional agitation, I know not, and will not for the moment inquire. But it was not true historically, it was a calumny to allege that the Fenian body was anything but a physical force movement, and, my Lords, it is right, further to say, that so far as agrarian crime was concerned, the lowest point that agrarian crime ever reached in Ireland was the time when the Fenian movement was at its height. The truth is that in every movement which took place in Ireland, constitutional or unconstitutional, anything which affords the hope of redress can be shown historically to have always led to a diminution, and not an increase of crime. My Lords, then after that there is this Disestablishment Act of 1869, the Land Act of 1870; the inauguration of Mr. Butts' Home Rule Policy between 1870 and 1874, and finally, after Mr. Butt's death, the coming to the front of Mr. Parnell somewhere between the years 1876 and 1879, the undoubted leader of the Irish Parliamentary party. One or two things are noticeable in the short account that I have given. First, that succession of ways of agitation to which I have already alluded—how when the failure of constitutional methods has become plain, the people have resorted to—or a large section have resorted to unconstitutional and secret methods; and one other feature is also noticeable—a sad comment upon the Government of Ireland, that there were during that period four main remedial measures—the Catholic Emancipation, the Tithe Act, Disestablishing Act, and the Land Act of 1870—and each one of them either follows upon unconstitutional movements or the dread of a physical force movement. Now I have to consider the history of what has taken place since the advent of the leadership of Mr. Parnell, and what I will say is this, and state it only in a sentence, that he has tried to act upon the advice which a distinguished Irish judge, Chief Baron Woolfe once gave, “to create and foster public opinion in Ireland, and make it racey of the soil.” He has sought to create and to sustain a party; and he has succeeded, which, whatever criticisms may be made upon it, has, as he desired it should, held itself independently of all political parties, and has not shown itself, whatever other faults or adverse criticism may be addressed or applied to it—has not shown itself to be capable of being tempted by personal gain or personal advantage from the strict, the straight discharge, as they believed, of their duty as Irish representatives.

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My Lords, by that course Mr. Parnell has forced public attention upon the Irish question. He has awakened the conscience of England upon the Irish question; he has in season and out of season persistently—unanswerably in the minds of many—urged her claims, and he has a right to say and he does claim that in ten years he and his party have accomplished more of solid gain and of solid remedial advance in legislative measures for Ireland than were accomplished in any hundred years—and when I speak of solid gain to Ireland I do not mean—do not let me be misunderstood—I am not speaking of gain to Ireland as meaning ill to England—my position and my proposition is that everything which goes to allay discontent in Ireland, which gives to the people a hold in their own land, which goes to win them to the side of law and of order—all those make for the good of England as well as for the good of Ireland, and for the good of the Empire to which Ireland has at least according to its means and its opportunities contributed her share in building up.

Now, my Lords, in the next place I have now to introduce to your Lordships a statement historically considered not of political movement, but what I may call for clearness and for convenience a statement of the predisposing causes to Irish crime, and as far as I shall make historical reference I shall cite only historical authorities that are not supposed to be in political accord with these for whom I am speaking. It would perhaps be an impertinence if I were to suggest that a great deal of what your Lordships will be troubled with by me will be found in Mr. Lecky's second volume—may be found in Mr. Froude's "English in Ireland," and in Mr. Goldwin Smith's "Irish History and Irish Character." But, my Lords, the four grounds, the predisposing causes are these—the restrictions of Irish commerce and suppression of Irish manufactures, the penal code which while commercial legislation had on the one hand thrown the people upon the land as their only means of livelihood, on the other hand came in to prevent the bulk of the people acquiring any permanent interest in the land; the third cause the uncontrolled power of the landlords in the exaction of oppressive rents; and the fourth cause the general mismanagement of the country, and the consequent distrust of that government which was generated thereby in the Irish minds.

My Lords, I am literally within the bounds of truth when I say that every historian, English, Irish, and foreign, concur in this opinion, that until a period within living memory the story of Irish misgovernment is one of the blackest pages in the whole of the world; that until a period within living memory the government of the country has been directed, not to the good of the many, but to the maintenance of a privileged few; that until a period within living memory the Government has proceeded upon what has been called by one distinguished writer the detestable principle that "to keep Ireland weak was the most convenient way of governing."

Now, my Lords, I can pass over these subjects lightly, but I must touch upon each of them. To begin with, Ireland was excluded from the benefit of the Navigation Laws; she was shut out not only from commercial trading, she was actually shut out even from exports to the sister kingdom of Great Britain. Cattle could not be so shipped. The result was the cultivation on a large scale of sheep farms; from that grew rapidly, generally, and to important dimensions a woollen trade in Ireland, and when that had grown to a point at which it seemed to threaten English trade, they came to the Crown to put it down, and it was put down by the imposition of enormous duties. The linen trade was not in rivalry with any corresponding English trade, and promises were held out—promises which were not fulfilled, that advantage was to be given to that trade as compensation for the other. The result was that in a country in which the only possible mode in the existing economic and political condition of things of relieving the enormous pressure of desire for the possession of land, these manufactures and the foreign export trade of Ireland was crippled and was destroyed. And Mr. Lecky, my Lords, says, in his second volume, at page 208, "the natural course of Irish commerce was utterly checked, and her shipping interest, such as it was, was annihilated." And Mr. Froude, in his first volume, at page 395, says this: "The real motive for the suppression of agricultural improvement was the same as that which led to the suppression of manufacture—the detestable opinion that to govern Ireland conveniently, Ireland must be kept weak." The advisers of the Crown with an infatuation which now appears like insanity determined to keep closed the one remaining avenue by which Ireland could have recovered a gleam of prosperity.

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My Lords, a distinguished man of remarkable calm and judicial mind, I mean Lord Duffryn, has in his history of Irish emigration and land tenure at pages 129 to page 132 used this extraordinary language: "From Queen Elizabeth's reign until within a few years all the known and authorized commercial confraternities of Great Britain never, for a moment, relaxed their relentless grip on the trades of Ireland. One by one each of our nascent industries was either strangled in its birth or handed over gagged and bound to the jealous custody to the rival interest in England, until at last every fountain of wealth was hermetically sealed, and even the traditions of commercial enterprise have perished through desuetude. The owners of English pastures opened the campaign as early as the commencement of the 16th Century. The beeves of Roscommon, Tipperary, and Queen's County sold the produce of the Irish in one market." Now he goes through the Acts which I do not think I shall be justified in troubling you with reading, but he proceeds in the sense to which I have already explained to your Lordships to show that the effect of this had been to intensify and create the difficulty on the Land Question, and to make it impossible, without legislation, to prevent that state of things with which your Lordships are already too well familiar.

So much for the commercial and industrial aspect of the mis-government of Ireland. My Lords, the penal code not merely deprived the great bulk of the population of the elective franchise, but it excluded them from corporations, the magistracy, the bar, they could not become sheriffs; solicitors, even gamekeepers or constables. They could not buy or inherit land. They could only, and that was a relaxation, have a terminable leasehold interest in land, and even that could not be within a certain distance of a town, and if the profits derived by reason of that terminable lease exceeded a third of the rent they became disentitled to reap the further profit. Bribes were held out to the Protestant informer against his Catholic kinsman; to the Protestant wife against her Catholic husband; to the Protestant child against his Catholic father. The simplest rights of the religion of the multitude prescribed, and, my Lords, the exclusion from partnership in the corporations which they had the control as they had in England, and the trade guilds had a still further injurious effect in the same direction in which I am pointing out, because inasmuch as the corporations were exclusively in the hands of Protestants; inasmuch as the trade guilds were exclusively in the hands of the Protestants, even the common handicrafts were not acquired—could not be acquired to any considerable extent by the great bulk of the poor Catholics of Ireland.

And, my Lords, that reformation which threw open these corporations to some extent was not accomplished until the year 1840—O'Connell, I think I am right in saying, was the first Catholic Lord Mayor of the City of Dublin, and that was the first year only from the enactment of the penal laws he would have been eligible for that position; but, my Lords, the so-called reformation of the corporations again worked serious mischief, because in place of preserving the existing corporations and throwing them open to the whole people and thus giving them at least some kind of local self-government, the corporations which existed numbering, I think, altogether—I do not pledge myself to the exact figure—65, were in great part abolished, and I think only either 10 or 11 of them left with local municipal government at all. My Lords, I will avoid again going into the detail which is not necessary, but I must trouble your Lordships with one passage which summarises and sums up the evils of this system and points to the lasting effects upon future generations of that system. It may be said that this is some years ago—I am speaking of ancient history. It is true that it is some years ago, but, my Lords, 50 or 100 years is, in the life of a nation, little more than a day or a week in the life of mortal man. If there has been by evil government in the past a crippling of the efforts of that progressive principle which is in all human society—if there has been a crippling of that natural effort, its evil effects do not pass away when once the restrictive force has been removed.

Mr. Froude said, in summing up this question in the first volume at page 301, of this system, "it was intended to degrade and impoverish—to destroy in its victims the spring and buoyancy of enterprise, to dig a deep chasm between Catholics and Protestants. These ends it fully attained. It formed the social condition; it regulated the disposition of property; it exercised a most enduring and pernicious influence upon the character of the people, and some of the worst features of

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“ the latter may be traced to its influence.” It may indeed be possible to find in the Statute books both of Protestant and Catholic countries laws corresponding to most parts of the Irish penal code, and in some respects—introducing its most atrocious provisions, but it is not the less true that that code taken as a whole has a character entirely distinct. It was directed not against the few, but against the many. It was not the persecution of a sect, but the degradation of a nation. It was the instrument employed by a conquering race supported by a neighbouring power to crush to the dust the people among whom they were planted, and indeed when we remember that the greater part of it was in force for nearly a century, that the victims of its cruelties formed at least three-fourths of the nation; that this degrading and dividing influence extended to every field of social, political, professional, intellectual, and even domestic life, and that it was enacted without the provocation of any rebellion, and in defiance of a statute which distinctly guaranteed the Irish Acts from any further operation on account of their religion, it may justly be regarded as one of the blackest pages in the history of persecution. In the words of Burke “ it was a complete system, “ full of cohesion, and consistency well digested and well fixed in all its parts—it was “ a machine of wise and elaborate contrivance, and as well fitted for the oppression, “ impoverishment, and degradation of the people, and the debasement in them of “ human nature itself as ever proceeded from the perverted ingenuity of man.” “ The judgment formed of it,” says Mr. Froude, “ by one of the noblest “ representatives of English Toryism was very similar.” “ The Irish,” said Dr. Johnson “ are in a most unnatural state, for we see the minority prevailing over “ the majority. There is no instance even in the ten persecutions of such severity as “ that which the Protestants of Ireland have exercised against the Catholics in Ireland.”

My Lords, I have mentioned as the third predisposing cause to Irish crime the uncontrolled landlord power. This is a subject which I must develop at greater length later. For the present purpose, I say that that system gave practically the power of life and death over the tenants of Ireland; that the only measure of the protection of the tenant was the sense of justice, but too often no protection—of the landlord. That the greed for land led to the promise to pay impossible rents; that those rents were extracted from the people so far as they could be extracted, until they were reduced to the condition in which Lord Palmerston described the Irish people as being upon the whole the worst clad, the worse housed, the worse fed people upon the face of God's earth. My Lords, Mr. Froude has pronounced in a sentence at once a calm description of the condemnation of the Irish land system. He said Russia is spoken of as a political despotism, tempered by assassination; so may the Irish rent system be described as social despotism, tempered by assassination.

If any of the persons accused had made a speech in that sense, clearly and strongly it would have been one of the most formidable items in the indictment now against them. My Lords, this state of things could not have endured—a state of things in which the interests of the many were overlooked for the benefit of the few. If there had been that tiring force of public opinion greater than that of the law, stronger than the law; greater than the law, for it makes the law in a healthy free governed community stronger—for it contracts the exercise of the rights which could not have existed if it had not been that the political condition of Ireland had given to the Irish landlords, the men who have gathered into their hands, the dignities and honours and power of the country—given to them no motive to conciliate Irish local opinion—for they have long ceased in any real sense to be Irishmen, but become merely Irish rent receivers. I am not repeating—I wish it to be understood—of all of them, I am speaking of the broad features of their history, and I am speaking of them as a class. My Lord, the results of this system were many. It was not merely the social degradation; it was even also moral degradation, and the direction of that uncontrolled power had been manifested in some remarkable ways. At times when the interests—the passing interests of the landlords seemed to induce them to regard the living population on the land simply as vermin to be rooted out, it led in times of distress and difficulty to those wholesale clearances which has led in its turn to that anomaly, than which there is none more remarkable in the economic history of any country—I mean the fact that you could go through Ireland to-day, in Roscommon, in Mayo, in many other counties, where there is fertile land capable of producing great wealth, and yet you may come across the ruins of a home, the traces of a hamlet, of no human habita-

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tion, or of living beings for miles, and a little further on the sterile bleak hill side as anyone could see in Donegal to-day, a crowded congested population, worse clad, and what does that mean? It means that these wretched creatures, having nowhere to turn and nothing to look to, but the attempt to earn an existence from the land, and driven from the wealth sustaining portions of the country where the population might be doubled or trebled without disadvantage, they are driven to huddle together on the bleak hill-side or the sterile bosom of those parts to earn such a livelihood as scantily support life.

My Lords, the fourth and last of the reasons or causes which I suggest as predisposing to Irish crime is of course the mis-government of the country, and the consequent mistrust with which that Government was regarded. I have already indicated the general grounds for that distrust. I am willing—I am anxious to avoid repeating myself. They are general, that the Government was directed not by a regard and fair consideration of the interests of the many, but with the view to the interests of the few. All those results were to show to the Irish people, or the great bulk of them, the repressing, not the beneficent and protective side of government. The result further was to reverse and invert the whole natural order of the relation of governors to the governed. I take leave to say, I presume in these days no one would doubt that the kingships, republics, all manners of government known to the world, and its political history, have been invented, not for the benefit of kings or the leaders of republics, but for the benefit of people governed. I say further that in the true and broad and just conception of the relations of governors and governed, the governors are responsible to the people whom they govern. I say that in Ireland all that has been forgotten and has been reversed; that in the administration of the law, in the executive compliance of the law, in the whole spirit of the law itself, it has been in its main and broad lines carried out in a way in order not to remove, but to intensify and increase that spirit of aversion to law which undoubtedly the great portion of the Irish people feel and experience.

My Lords, Mr. Goldwin Smith, in his “Irish History and Irish Character,” says, at page 139, “that the Irish Government during the 18th century is, in fact, one of the foulest pages in history, and he goes on to say that the mass of the people were socially and economically in a state the most deplorable perhaps which history records as having ever existed in any civilised nation.

My Lords, if to those general considerations I add this absenteeism, which means one of two things, and sometimes both—that the landlord either let his estate to a middleman, in which case he drew from the middleman the rent which that middleman promised, and he left the tenant to the tender mercies of that middleman, or he left the management of his estate with no intervening middleman to an agent, he himself living abroad or in England, knowing nothing of the condition of his people, and performing none of those kindly offices which in this country are regarded ordinarily as necessary duties in discharge of the position of an English landlord. If you add to this further the fact that up to the period of which I am talking, nay, I may say up to 1884 and 1885, Ireland had a restricted franchise and consequent want of political power; if to that further there is added the fact of the wide chasm which existed between classes, the one class the few, the possessors of all the fixed property of the country, with no sympathy in point of religion, with little sympathy in point of race; and on the other hand the great mass of the people, and recollect that there was nothing of kindly contrivance or human legislation to breach this chasm over. I ask any candid-minded man, apart from the heat of politics, apart from questions of prejudice, what would he expect to follow from such a state of things? Would he expect a people well affected to the law, which brought them little comfort, and brought no sunshine into their lives—a law which to them showed mainly its aggressive side? No; you would expect, what history shows has happened, an abiding distrust of the law; I am glad to think, not so strong now as it once was, for there are mitigating circumstances; but you would expect to find a people, so exposed as these people were when recurrent distress came, prone to resort for self-protection to combination, to extra-legal, to unconstitutional—aye, and even to criminal means for their own protection, for the most profound observers upon the question of Irish crime and its causes (some of whom I shall have to call your Lordships’ attention to in a few moments) have observed that the crime of Ireland differs from the crime of every known

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country in the world in this, namely, that it is to a large extent not the crime of an individual directly, and in hot blood revenging a crime committed by an individual, or an injury committed by an individual, but that it is a crime which, as Sir George Cornwall Lewis calls it, is of a protective kind, and committed, if not by, with the sympathy of, a great part of the people. From this state of things what would your Lordships expect? That secret societies would spring up; secret societies at once the effect of misgovernment, and themselves the cause of crime. And you have side by side with these considerations this set of extraordinary phenomena, the people universally described as persons of kindly nature, and yet, as the history—the shocking history—of this case has shown, guilty of the most barbarous cruelty; people of kindly nature, accessible to the influences of kindly words and of kindly acts; a people preserving absolute purity of domestic life under conditions in which it is difficult to understand how it is accomplished; a people who carry with them to the ends of the earth love of kith and kindred and of country, qualities which under a normal condition of things and in a healthy state of society are after all the best foundations for a stable government and for the existence of a contented people. But in Ireland this gift of love of country seems to become a misfortune for them; and stranger phenomenon still—(strange I do not regard it, but regarded by many as a strange phenomenon this)—that practically the crime of Ireland, or in a notable degree, is agrarian crime. What does this point to? Does it not point to this: Thinking this matter over calmly, and dispassionately, as reasoning men, if you find the people marked by many qualities of a noble kind, but disgraced by crime of one particular kind, is not the conclusion inevitable that the sources, the causes, of that class of crime are to be found in the condition of things with which that particular class of crime is associated, or, in other words, with the agrarian state of things?

My Lords, I would like to utter before I proceed to the history of crime one word of warning. I shall have to speak (and it is a painful story) of the history of crime, going a considerable way back. It is a sad story, but I hope I may warn your Lordships, without disrespect, against being led away into the notion that because there is this black record of crime in the past, therefore the Irish people are to be branded as a nation of criminals. Mr. Lecky, at page 378 of his second volume, speaking of how unjust an historian may be if he dwells too much on the history of a people's crimes, uses language which even in connexion with my speech I hope your Lordships will not think inappropriate. "In writing the history of a people" (he says), "it is neither just nor reasonable to omit the record of its prevalent crimes. But it is one thing to relate these, it is quite another thing to select the criminals of a nation as the special representatives of its ideas. It is peculiarly necessary that the history of such a nation as the Irish should be written if not with some generosity, at least with some candour; that a serious effort should be made to present in their true proportions both the lights and the shades of the picture; to trace effects to their causes, and to make due allowance for circumstances and for antecedents. When this is not done, or at least attempted, history may easily sink to the level of the worst type of party conflict."

I now come to a serious and, as I conceive it to be, an important part of this narration; and that is the actual history of crime in Ireland, in order to show your Lordships, as I have already foreshadowed, that when there was no Land League which could be blamed, no popular leaders who could be branded as accomplices in crime, the same state of things which existed in 1879 existed in those former days, producing the self-same results, intensified, aggravated, recurring again and again with again and again recurring distress. It is of course obviously necessary that I should do this, because if I establish that and show in the condition of things in 1879 and subsequently adequate reasons, historically judged, for the crime, the milder crime, which then took place, I of course have gone a long way to relieve those who are here charged; but it is an imperative duty, in view of the mode in which the case was conducted by the Attorney-General, who was instructed to assure your Lordships that the crimes which occurred in 1879 and in subsequent years were crimes unknown in the history of Ireland before the appearance of the Land League.

Adjourned for a short time.

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When your Lordships adjourned I was about to endeavour to establish by reference to the actual authentic history of crime in Ireland the two propositions to which I had previously adverted. First, that with recurrent distress connected with given definite causes there was recurrent crime, and secondly, that that recurrent crime was of the same kind—directed against the same persons, appointed to effect the same results, but much less in volume and intensity than that which your Lordships have on this occasion to inquire into.

Something has been said in the course of this case as to one of the most reprehensible of the crimes which has been proved before your Lordships. I mean the maiming of dumb beasts—a cowardly detestable crime. I do not know how far that goes, but there is certainly a concurrence of testimony on that point, that it took its rise from and was the criminal expression of disapproval of the system of clearances of tenants from arable land with a view to turn that land into pasture land. These houghing crimes in 1711 are mentioned by Mr. Lecky, amongst others, as having come into existence by reason of the wholesale clearance which then took place with the object of turning as I have intimated arable land into pasture land; and in 1761, which is the beginning of the formidable rising known under the name of “Whiteboyism,” it is undoubted that crimes and actions of the Whiteboys arose from cognate causes. Indeed I might state to your Lordships the opinion of no less a person than a celebrated Lord Lieutenant of Ireland, namely Lord Chesterfield, who, in the fifth volume of his letters, uses this extraordinary language dealing with the question of Whiteboyism. He ascribes the Whiteboy rising—these are his words: “To the sentiment in every human breast that asserts man’s natural rights to liberty and good usage, and who will and ought to rebel when provoked to a certain degree.” When your Lordships recollect the position which the writer held in Ireland in relation to the government of Ireland, it is and I think it will be admitted that it must have been a very strong state of circumstances which would have driven him or justified him in that remarkable pronouncement.

The history of those clearances was followed by the action of a section of the Whiteboys, known by the name of “Levellers,” because one of their operations was the throwing down walls by which the landlords sought to enclose for the purpose of letting to fresh tenants certain commonable lands which the tenants themselves had previously enjoyed, and there is a very curious account of the events of that period given in a book, which I do not myself possess, but which I have read, by an intelligent English traveller called Bush, in a volume which he has entitled “Hibernian Cur.os.” Your Lordships will find it referred to in Lecky. He gives an account of this matter in the fourth volume, at page 320, beginning at page 319. He says: “As we have already seen, the commercial code had artificially limited industrial life, and the penal code, long after it had ceased to be operative as a system of religious persecution, exercised the most pernicious influence in deepening class division, rendering the ascendant practically absolute, driving enterprise and capital out of the country, and distorting in many ways its economical development. A great population existed in Ireland, and were habitually on the verge of famine, and when any economical change took place which converted a part of the country from arable land into pasture, and restricted the amount of labour, they found themselves absolutely without resources. The Whiteboy movement was first directed against the system of enclosing commons, which had lately been carried to a great extent. According to a contemporary and concurrent statement of Crawford, the Protestant, and of Curry, the Catholic historian, of the time, the landlords had even been guilty not only of harshness, but of positive breach of commonage, by withdrawing from the tenants a right of commonage which had been given them as part of their bargain when they received their small tenancies, and without which it was impossible that they could pay the rents which were demanded.”

My Lords, this movement spread over Limerick, Tipperary, Waterford, and Cork, and afterwards to Kilkenny and Queen’s County, and there is a record—a shocking record—of crime, even (strange as it may seem to your Lordships) in more revolting forms and in greater intensity than anything that has been suggested or proved in this case. There were the levelling of enclosures, wholesale crowds of threatening letters, rescues of property seized for rent, grass lands pulled up, threats against any who paid more than the specified amount of charges, no one allowed to bid for a vacant farm,

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unless it was vacant for at least five years, the penalty being death or burning, and the houghing of cattle, to a large extent, and you have thus an exact reproduction of the state of things complained of in this case, and, my Lords, at a time when there was no Land League, no constitutional agitation of any shape or kind on foot. This being the outcome of the action of this secret body, and of those who were in sympathy with that secret body, Sir George Cornwall Lewis, in perhaps the most important and most philosophic inquiry into the causes of Irish crime which I have read, points to the parallel which existed in 1761, and the subsequent years, with the later period which he comes to consider, and which brings us down to the date of this publication in 1836. The subsequent history of this crime I shall trace to your Lordships in the history of the Parliamentary Inquiries and of Royal Commissions. Your Lordships probably know the name of Sir George Cornwall Lewis's book. It is called "Irish Disturbances," published in 1836. I shall have to refer to it later. Your Lordships will see how entirely uninstructed the Attorney General was, how grievously misinstructed the Attorney-General was, when he put before your Lordships, as I have already intimated, a state of things of 1779 and subsequent years as a new and previously unknown state of things, disclosing a new and previously unknown state and class of things. I shall presently call attention to figures to show how vastly in excess to those of the present years, were the figures of crime at the time which with I am about to deal.

Take the case of land-grabbing. Amongst the things which was visited with the penalty of death and burning was the taking of an evicted farm, or land-grabbing. Well, I do not know how far the Attorney-General's historical researches have gone, but certainly in very early and primitive states of society land grabbing had been regarded as a crime by the community, and the reason is obvious. The reason is particularly obvious in the case of a country like Ireland. I am not at this moment doing anything except examining the matter, so to say, historically and philosophically. I am not stopping to consider whether justification, or palliation, or anything of that kind can be suggested. I am examining the facts, but the reason is obvious, that it should be regarded as a crime against the interests of the community, because of course if landlords the moment a tenant was evicted from a farm would immediately get another tenant to take it I need not say it would be a great step towards making evictions easy, and therefore tenants would lose by the removal of interposed difficulties in the way of actual evictions, the protection which they greatly relied upon as lessening the evils to which they were exposed. I do not want to trouble your Lordships with very remote historical precedents, but there is the very celebrated and early case of land-grabbing of Ahab *v.* Naboth, or Naboth *v.* Ahab. I confess, my Lords, that I always thought that was an exceedingly mild case of land-grabbing, because, according to authentic records, Ahab first of all offered Naboth full value for his vineyard, and offered him an alternative vineyard as well circumstanced in another place; and yet so strong was the reprehension at that period of the offence of land-grabbing that the apparently fair proposals of Ahab did not restrict the town of Elijah the Tishbite from animadverting, and animadverting most strongly, upon his conduct. And through the whole history of the Irish question, and in every community where the same means for self protection existed, you will find the reprehension and condemnation of the community for acts of this kind alike considered by the community as detrimental to the interests of the community.

Mr. Lecky says, at page 340 of his fourth volume: "The truth is that the real causes of the Whiteboy outbreak are to be found upon the surface; extreme poverty, extreme ignorance, extreme lawlessness, make the people wholly indifferent to politics, but their condition was such that the slightest aggravation made it intolerable, and it had become so miserable that they were ready to resort to any violence in order to improve it"; and he cites the "Knight of Kerry," writing at this very period, the period which we are now considering. "The lower orders," says the "Knight of Kerry," "are in a state of distress beyond anything known in the memory of man."

My Lords, that was in the southern counties. In the north two years later a violent outbreak occurred which spread over and effected the counties of Armagh, Tyrone, Londonderry, and Fermanagh. And it arose from causes comparatively trivial, as it would seem. It arose from this cause, that the magistrates, in the exercise of their powers as a grand jury, to which some reference has been made in the course of this case, had been using their powers to their own direct, and immediate advantage, and had caused the making of roads for the

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improvement of their own particular estates and domains, which were not for the general benefit; and the whole burthen and cost of which it was sought to throw on the occupying peasants. The people of the north rose against it. It was not so formidable a movement, it was not so ferocious a movement. Lord Charlemont, a man as well of distinction as of ability, points out the cause of the difference between the two movements in the north and south. He points out how as regards the north a number of circumstances, which I will not here dwell upon at length, had given to the people a much better position, a greater stake in the country than those in the south, how that had been preserved to the tenants in the north in the shape of tenant right, a remnant of a much greater interest in the land, which undoubtedly it was the object of the great plantation settlement to give them. How they had been free or a great proportion of the community had been free from the intolerable persecutions which had characterised the south, and in explaining the difference between such movements he uses this expressive language. He says: "The rebellion of slaves is always more bloody than an insurrection of free men." My Lords, that was in 1763, 1764, and 1765. In 1771 a much more important and a much more formidable movement rose in the north, that is the movement of the Steelboys, who were the predecessors of the title of the Orangemen of to-day. The causes again of their action are precisely the same; the chronicles of the period state them in almost identical language. Rents excessive, wholesale confiscation of improvements, the putting up of farms and of houses to the highest bidder, without regard to the rights or claims or interests of the ancient tenant, were the immediate causes of the outburst and the formation of that which became a formidable body, and which in a latter history, I am sorry to say, became sectarian in its character, and not social as it originally was. So the effect of this was that there was crime much more serious than in the time of the Oakboys. They marched in a body to release men who had been taken up for crimes committed from the gaols of the town. The juries which tried these men for various crimes acquitted them wholesale. They moved the *venues* to Dublin, and the Dublin juries did the same. The immediate cause was that one great landed nobleman in that neighbourhood, namely the Marquis of Donegal, had, upon a large scale, endeavoured to forfeit the interest which the tenants had in their homes. Mr. Lecky says in the same volume, at page 347: "The improvements were confiscated, land was turned into pasture, and the whole population of a vast district were driven from their homes." My Lords, the consequence of these particular wholesale clearances were not, happily, momentous. They formed a large proportion of the emigration of the sturdy Presbyterians of the north to America, and when the War of Independence came, as the chronicles of that day tell us, amongst the stoutest men in opposing the British forces, and of asserting American independence, were these very expatriated Presbyterian farmers of the north and their children. From 1780 down to 1806 a number of political events, to which I have already referred, were transpiring, and as I have, I think, at least once pointed out, in times of political movements, social oppression and social grievances seemed for the time to recede into the background, and their existence is not all events made apparent by the presence of remarkable crime.

There had occurred in the interval the establishment of Grattan's Parliament as it has been styled, the attempted rebellion of 1798, the inchoate rebellion of Emmett of 1803, but from 1806 to 1820 again we have the same thing repeated in the west this time, as well as in the south and also in the midland counties, the "Threshers" in Connaught, the Whiteboys in the south and in the midland counties, and at that period there was a remarkable depression in the agricultural interests in Ireland—a severe pressure felt. Without dwelling upon them it is true to say that in taking the history of this present century, of which we are now speaking, there have been at least five periods during that time, times of what would be regarded in this country as destitution of the great mass of the people, and certainly at two of the periods of those five absolute famine.

It is recorded that, owing to the high prices that had prevailed, rents had enormously gone up, but in two years from causes not altogether to trace, wheat, at this time one of the considerable products of the country, which in 1812 was worth 6*l.* a quarter, had fallen in 1814, a period of two years, to 3*l.* a quarter. Rents maintained at a high standard and at a high pressure. Crime again arose, and was the subject of the charge to juries on criminal trials, and many lives were lost on the gallows, and many men were

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lost by expatriation. In that year or about that time, the year 1514, one of the most remarkable judicial pronouncements which probably ever was delivered from any bench of justice was delivered by Mr. Baron Fletcher to the grand jury in the county of Wexford. Your Lordships will find it reported at full length in the Annual Register for the year 1314. He begins by congratulating Wexford on its then condition, or on its previous condition. He goes on to consider the causes which had produced the disturbances which then prevailed throughout the country, referring to the wide spread appearance of those disturbances, and pointing to his experience on the North-western Circuit, which included amongst others, the counties of Mayo, Donegal, Londonderry, and Roscommon, and he says: "But various deep-rooted and neglected causes, producing similar effects throughout this country, have conspired to create the evils which readily and truly do exist. First, the extraordinary rise of land occasioned by the great and increasing demand for the necessities of life; and by producing large profits to the possessors of farms, excited a proportionate avidity for acquiring or renting lands. Hence extravagant rents have been bid for lands, without any great consideration, and I have seen these two circumstances operating upon each other like cause and effect—the cause producing the effect, and the effect by re-action producing the cause." He then goes on in a remarkable passage, which I do not think it is pertinent to read in this connexion, in which he speaks of the action of the Orange Society as poisoning the fountains of justice, and then he proceeds as to the immediate and distinct causes of the distrust of law, and the crime which prevailed in a passage than which I have never heard any more remarkable. "Gentlemen, that modern pittance, which the high rents leave to the poor peasantry, the large county assessments nearly take from them; roads are frequently planned and made, not for the general advantage of the country, but to suit the particular views of a neighbouring landholder, at the public expense—such abuses shake the very foundation of the law; they ought to be checked. Superadded to these mischiefs are the permanent and occasional absentee landlords, residing in another country, not known to their tenantry but by their agents, who extract the uttermost penny of the value of the lands. If a lease happen to fall, they set the farm by public auction to the highest bidder. No gratitude for past services, no preference of the fair offer, no predilection for the ancient tenantry, be they ever so deserving, but if the highest price be not acceded to the depopulation of an entire tract of country ensues. What then is the wretched peasant to do. Chased from the spot where he had first drawn his breath, where he had first seen the light of heaven, incapable of procuring any other means of existence, vexed with those exactions I have enumerated, and harassed by the payment of tithes, can we be surprised that a peasant of unenlightened mind, of uneducated habits, should rush upon the perpetuation of crimes, followed by the punishment of the rope and the gibbet. Nothing (as the peasantry imagine) remains for them, thus harassed and thus destitute, but with strong hand to deter the stranger from intruding upon their farms; and to extort from the weakness and terrors of their landlords (from whose gratitude or good feelings they have failed to win it) a kind of preference for their ancient tenantry." There is a great deal more of this which is worth reading. He proceeds to dwell upon what amounts to a charge on the grand jury frauds, enlarging the charges which I have already mentioned. He points out that Ribbonism, which then began to show its head, was the product of oppression. He then proceeds to point out how, not content with the extraction of the utmost farthing of rent, these absentee landlords through their agents claim the political power which the tenant, as a voter, had at his command as part of the price which he has to pay for his holding, and he says: "The tenantry are driven to the hustings, and there collected like sheep in a pen, they must poll for the great undertaker who has purchased them by his jobs; and this is frequently done with little regard to conscience or duty, or real value for the alleged freehold." Then he proceeds to deal at greater length with the result of the fact that so large a class of the Irish land-holders are absentees. I will not dwell upon that passage. Then he proceeds to consider the question: is there no remedy for all this except the remedy of coercive legislation. I will show your Lordships in a moment that during the whole of this time there is a continual and dismal record of coercive measure after coercive measure with hardly a year's intermission for 100 years.

He then proceeds in a passage which your Lordships will forgive my reading, as it will a little lighten the more serious part of what I have to say, to point out how

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difficult it is for the English mind which he recognised in the political relations between the two countries as really the governing mind of the matter, to get hold of reliable information, and in a positively humorous passage he describes the course of proceeding of an intelligent English visitor who is coming to learn the truth for himself. He says: "Does a visitor come to Ireland to compile a book of travels what is his course?" "He is handed about from one country gentleman to another, all interested in concealing from him the true state of the country; he passes from 'squire to 'squire, each rivalling the other in entertaining their guest, all busy in pouring falsehoods into his ears touching the disturbed state of the country, and the vicious habits of the people. Such is the crusade of information upon which the English traveller sets forward; and he returns to his own country with all his unfortunate prejudices doubled and confirmed in a kind of moral despair of the welfare of such a wicked race, having made up his mind that nothing ought to be done for this lawless and degraded country." I have said that I will point out what was the state of coercive measures, as for convenience sake and brevity's sake they are called, in existence at this period. In 1800 there was in existence the Insurrection Act, the Habeas Corpus Suspension Act, and, during a part of the period, Martial Law. The same in 1801. In 1803 there was the Insurrection Act. In 1804 there was the Habeas Corpus Suspension Act. In 1807 and 1808 the Insurrection Act and Martial Law, and the Habeas Corpus Suspension Act. In 1809 and 1810 the same. In 1814, 1815, 1816, and 1817 the same. In 1822, 1823, and 1824 the same.

Now I pass over, although there are one or two intervening incidents that I might dwell upon, and take up at this point, namely from the years 1824 to 1825, the best, the most reliable, the most philosophic inquiry that I have come across into the causes of Irish crime, I mean Sir John Cornwall Lewis' book. If your Lordships are not familiar with it, or have not it, I should be very glad to be allowed to hand it up.

It is the work of a man eminently fitted for the task which he undertakes, a scholar, a statesman, a man of eminently fair and judicial mind; and, my Lords, while I make an apology for the length to which I refer to this, I will make the promise that I will not trouble your Lordships in any other authorities that I refer to at anything like the same length. The book was published in 1836, and practically takes up the whole field of inquiry, beginning with a parliamentary inquiry by a Select Committee in the year 1824, so that it covers altogether a period of 12 years. He proceeds to consider the question under these heads: "The cause of Irish Disturbance; the character and object; the means used for accomplishing these objects; and the effects produced by them."

Now at page 46 he points out the causes of disturbances in Ireland, and says: "According to this system, which has to a greater or less extent been acted upon nearly up to the present day, every Irish Catholic was presumed to be disaffected to the State, and was treated as an open or concealed rebel; the entire government was carried on by the Protestants, and for their benefit, and the Protestants were considered the only link between England and Ireland. The English thought it for their interest that Ireland should belong to them, and they supported the Irish Protestants in oppressing the Irish Catholics, who, it was assumed, without that oppression would throw themselves into the arms of France. At the same time that the wide and impassable line was drawn by the law between the two religions in Ireland, and the one persuasion was made a privileged, the other an inferior, class, the whole of Ireland was treated as a province or colony, whose interests were to be sacrificed to those of the mother country." And then at page 49 he elaborates that point and says: "In these two ways"—that is to say, the landlords being few in proportion, and to a large extent Englishmen, and to a still larger extent not professing the religion of the great majority of the Irish people, but Protestants—"in these two ways all friendly connexion between the landlord and tenant of the soil was broken; either the landlord was at a distance and was represented by an oppressive, grasping middleman, or, if on the spot, he was the member of a dominant and privileged caste, who was as much bound by his official ties as he was prompted by the opinion of his order, by the love of power, and by the feeling of irresponsibility to oppress, degrade, and trample on his Catholic tenants. Hence it was impossible that the different classes of society should be shaded into one another

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that the rich should pass into the poor by that insensible gradation which is found in England ; or that amicable relations should ever be formed between landlord and tenant which (with temporary and partial exceptions) have subsisted for some centuries in the latter country to its great and manifest advantage. The sharp separation of the upper and lower ranks, the degradation of the peasantry, their ignorance, their poverty, their recklessness and their turbulence, were as necessarily the consequence of the system pursued in Ireland, as the comparative comfort of the labourer, the occupation of the land by a respectable tenantry, the general tranquility of the agricultural population, and the gradual passage of the richer into the poorer ranks, were the consequences of the system pursued in England. And any person who had attentively studied the state of society in England and Ireland at the opening of the 18th century, might without any remarkable gift of political prophecy, or without hazarding any rash conjecture, have foretold the respective destinies of the agricultural population in either country.

My Lords, he then refers to Arthur Young, who towards the end of the 18th century visited Ireland, and who gives proof of a deeper, darker kind still than I care to advert to, of the degradation to which the wives and daughters of the Irish tenants were subject to as part of this pernicious system. He goes on, "the landlord of an Irish estate inhabited by Roman Catholics is a sort of despot, who yields obedience in whatever concerns the poor to no law but that of his will." This, my Lord, is indeed a philosophical observation worth bearing in mind in the progress of this case, and at every part of it. "To discover what the liberty of a people is we must live among them and not look for it among the statutes of the realm ; the language of written law may be that of liberty, but the situation of the poor may speak no language but that of slavery. There is too much of this contradiction in Ireland ; a long series of oppressions, aided by many very ill-judged laws, have brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of an almost unlimited submission ; speaking of language that is despised, professing a religion that is abhorred, and being disarmed, the poor find themselves in many cases slaves even in the bosom of a written liberty."

My Lords, let me here observe that although I do not mean to suggest that there have been in operation causes outside the law which have mitigated the ferocity of this landlords system in Ireland. I do maintain and I hope I shall demonstrate to your Lordships, until the year 1881, and as one of the products and fruits of the very revolution your Lordships are trying, there was no real or effective check by the law upon landlord oppression. He then again proceeds to cite the evidence which I will not do in great detail taken before a committee as to the causes of crime. My Lords, this was a committee which was appointed in 1824, and afterwards became a committee of both Houses of Parliament, and which practically sat for a number of years, and I think finally made its report. I am not quite sure of the date, but I think somewhere about 1826 or 1827, he refers to one witness who was one of the barristers appointed to administer the Insurrection Act in 1882, and he refers to distress as one of the causes of the state of things in Ireland, and he is then asked by some member of the committee, "have you ever directed your attention to the altitude causes of it," to which the witness answered, "the ultimate causes must be sought much further back in the history of the country."

Then, my Lords, he proceeds to give his reasons which I shall have to trouble you with, though at a later stage, when I come to put before you the history of the details of the land legislation relating to Ireland. Then he refers to the evidence of an inspector of police who is asked "to what do you attribute the long disturbance you have described as prevailing among the lower orders in that part of the country (Munster)" and he answers "that is very difficult for me to form an opinion, it arises from so many causes. I think a great deal of disturbance has arisen about the rents ; the land during the war were set very high in most parts of Ireland, and in peace there was a great reduction in the price of produce, a most considerable reduction in Ireland, and I think that the landlords were proceeding to distress the tenantry and to get those high rents which the produce of the land did not enable them to pay, and I think that that produced a number of persons to be turned out of their farms, and from that arose a number of outrages on the dispossessed tenants."

Mr. Justice Day, judge of the Court of King's Bench in Ireland, and whose tenure of the judicial bench appears to be 21 years, is asked a question upon the same subject, and in reference to his circuit experience, he points to one case in the county of

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Limerick, upon the estate of one Lord Courtenay. There was a good deal of oppression practised, and disturbances in consequence, into which he goes at some little length.

Then another witness repeats—I will not trouble your Lordships by repeating the same thing—but he gives the same causes, “the prime one always being the rent and tithe, and other charges on the land, which it was utterly impossible to pay. The people could not pay anything like the demands.” All through I find the same keynote.

Then there are one or two questions in this connexion—although it will come a little later in the second head that he mentions. One is asked at page 73, “what was the object of some of these movements? From the history of the disturbance it appears that it originated in the conduct of a gentleman on the Courtenay estate. He was very severe towards the tenants, and the people who were in wealth previous to that, were reduced to poverty, and they thought proper to retaliate upon him and his family”—and I ask the Attorney-General’s attention to this—“and upon those who took their lands—and this was the origin of it.”

When Mr. Leslie Foster, at that time a Member of Parliament, is asked his opinion, and to what he attributed the frequent recurrence of disturbances. And he says: “I think the approximate cause is the extreme physical misery of the peasantry, coupled with their liability to be called upon for the payment of different charges, which it is often practically impossible for them to meet. The immediate cause of these disturbances I conceive to be the attempt to enforce these demands by the various processes of law; we are also to take into consideration that they are living under constitutions for which they have neither much affection nor much respect. I have assigned what I conceive to be the approximate cause of the disturbance. I think the remote one is a radically vicious structure of society which prevails in many parts of Ireland, and which has originated in the events of Irish history, and which may be in a great measure palliated, but which it would I fear be extremely difficult now wholly to change.”

Then a stipendiary magistrate of experience in Queen’s County is asked “Are the Committee to understand that you consider the spirit of outrages has not been got under?” “It has not.” “Can you give any hint to the committee as to what you consider likely to accomplish that desirable object?” “I think if the laws were amended in one, two, or three instances, which I will suggest, it would tend to the security of the public peace. There is scarcely an outrage committed relative to land, but what the people assign a cause for it, if I may use that expression, in some instances the unfortunate people do show a cause for it.”

Mr. Blackburne was examined, who was Chief Justice of the Queen’s Bench, as your Lordships may probably recollect, and afterwards Lord Chancellor of Ireland; and in introducing his name at page 78, Sir George Cornwall Lewis sums up a portion of the case included in his evidence. He says “all the above witnesses agree in a remarkable manner with regard to the causes of the Whiteboy disturbances. All trace them to the miserable condition or the peasantry—to their liability to certain charges, the chief of which is rent, which they are very often unable to meet; and to their anxiety to retain possession of land which, as Mr. Blackburne truly states, is to them a necessary to life, the alternative being starvation. With the dread of this alternative before their eyes, it is not,” says Sir George Lewis, “to be wondered that they make desperate efforts to avert it—that crime and disturbance should be the consequence of actual ejectment is still more natural.” And, by the way, Mr. Blackburne mentions one case on the estate of Lord Stradbroke, where, he says, “the agent, attended by the sheriff, went upon the land and dispossessed a numerous body of occupants; they prostrated the houses, leaving the people to carry away the timber. The number of persons that were thus deprived of their houses on that occasion was very large. I am sure that there were about 40 families, but I cannot tell you the number of individuals. They were persons of all ages and sexes, and, in particular, a woman almost in the extremity of death.” And then the question follows, “What do you conceive became of them?” and the answer is, “I should think they have been received from charity up and down the country.”

Mr. Barrington, a gentleman who appears to have had a very busy official life, because I find the same gentleman—I think it is the same gentleman—turning up as a witness at

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another of these perennial commissioners to inquire into the causes of Irish crime in the year 1852. He agrees with the general comment upon the lamentable condition which Sir George Lewis which he points out, and which is summed up by him at page 88: "There is so much permanent misery in the southern and western parts of Ireland, the mass of the county population are in such a state of distress and suffering, they have so little either to hope or to fear, that they are ready at almost any time to break out into disturbance, in order, if not to rebel, at least to weaken that law which they have always been accustomed to consider as their enemy;" and he makes one very curious comment upon a suggestion which has been made in the course of this case, when the question was addressed earlier by one of my friends, that there is a degree of wretchedness in which the people have been so completely prostrated that crime is not found to be rancorous amongst them. "Do you think it reasonable to expect perfect tranquility," is the question put to Colonel Rochfort—"Do you think it reasonable to expect perfect tranquility in Ireland when there is such a state of wretchedness, and the people so badly clad, fed, and housed?" What is the answer? "My abstract opinion is, the lower in the scale of society the populace is, the more sure you are of its obedience." Then the question is put: "In order to keep the country quiet, you would keep the country wretched?" And the answer is, "I would not keep it so, but I think it would secure the tranquility of the country." And then Sir George Cornwall Lewis upon that observes: "Disturbances in question appear to prevail most where the peasantry are bold and robust, and one degree removed about the lowest poverty, and where the land is productive and consequently thickly peopled."

My Lords, Sir George Cornwall Lewis was writing before the years of the famine—he was writing before the enormous clearness, that have taken place in the century—clearness starting from famine time—not beginning, but starting in increased volume during the famine time, when the landlords, just as distress increased, increased in their urgency of legal process, as it would be shown to your Lordships they did in 1879, 1880, 1881, and 1882. He then cites from another historian upon this subject, and a very valuable one, an English historian also, I mean Wakefield in his account of Ireland. This is upon another point. It is in the first volume of Wakefield, page 244, where he says: "In Ireland landlords never erect buildings on their property, or expend anything in repairs; nor do leases in that country contain so many clauses as in England. The office of an agent is thus rendered very easy, for he has nothing to do but to receive his employers' rents twice a year, and to set out the turf-bog in lots in the spring." That is, of course, upon a point which I am not now directly dealing with.

Now, my Lords, I come to the next head of examination. That is a consideration of the causes of Irish agrarian crime, which really means the causes of Irish crime. The next point which he proceeds to consider are the character and objects of that crime, and this will, I think, be found to be very important. He says: "In order to comprehend the peculiar character of the offences springing from the Whiteboy system in Ireland, it is desirable to consider all crimes as divided into two classes, not according to the ordinary distinction of crimes against the person, and crimes against property, but with reference to the motive with which they are committed, or the effect which they are intended to produce." That is at page 94, third chapter. "Under one class may be arranged those which are intended to intimidate, to determine men's wills, to produce a general effect not necessarily even limited to the individual whose person or property is the object of the crime, but at any rate calculated to influence his conduct in respect of some future action. Such are threatening notices, malicious injury to property, beatings, murders, &c., in consequence of some act of the party injurious to a particular person, or to classes of persons. The object of these is either directly to prevent, or to compel the performance of some future act, which a specified individual is supposed to be likely to perform or not to perform; as when a man is threatened either orally or by a written notice, that he will be killed if he ejects or admits such a tenant, if he dismisses or does not dismiss such a servant; if he prosecutes or gives evidence against such a party; or, secondly, it is to punish a party for having done some act." And then he proceeds to enumerate in the same way because he has rejected or admitted such a tenant, because he has not dismissed or has dismissed

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such a servant, because he has prosecuted or given evidence against such a party. Then he proceeds to point out the character of the crimes that he is considering. "In this character," he says "they look not merely to particular, but also to general results; not merely to the present, but also to the future; not merely to themselves, but also to those with whom they are leagued and with whom they have an identity of interests. The criminal, who acts with these views, is as it were an executioner who carries into effect the verdict of an uncertain and non-apparent tribunal; and it usually happens that others profit more by his offence than he himself who committed it. To the other class may be referred those crimes whose effect is limited to that which is actually done by the offender." I will not trouble your Lordships by pursuing that passage. Then he proceeds, and I do ask attention to how ill this historical record fits in with the statement of the case which the Attorney-General, upon what I must designate most imperfect instructions, put before your Lordships. We have here the very same class of things carried out in the very same class of way, apparently with the very same class of object. Then he proceeds: "Now the characteristic difference between the crimes of Ireland and of England, France, and indeed of almost every civilized country in the world, is that in a large part of Ireland the former class appears to preponderate considerably beyond the latter." That is to say, the class in which the offence is committed, not to revenge a wrong done upon the individual committing it by an individual who has committed it, but in the sense which Sir George Cornwall Lewis subsequently explained, namely, the protective sense. Then he proceeds: "The preponderance of the exemplary or preventive crimes," which is another term he applies, "may be particularly seen in certain districts of Ireland. Thus in Munster, in the year 1833, illegal notices, administering unlawful oaths, assaults connected with combination, attacks on houses, burnings, maiming of cattle, malicious injury to property, and appearing in arms, nearly all of which were of this description, comprehended 627 out of a total of 973 crimes, and even of the others, homicides, &c., many were doubtless committed with the same motive." He then proceeds: "It is to the state of things which we exhibited in the last chapter, to the wretched condition of the mass of the Irish peasantry, their inability to obtain employment for hire, and their consequent dependence on land; to the system of combination and self-defence this engendered; in short, to the prevalence of the Whiteboy spirit that this peculiar character of Irish crimes is to be attributed. It has already been explained how the Irish peasant, constantly living in extreme poverty, is liable, by the pressure of certain charges, or by ejectment from his holding, to be driven to utter destitution—to a state in which himself and family can only rely on a most precarious charity to save them from exposure to the elements, from nakedness, and from starvation. It is natural that the most improvident persons should seek to struggle against such fearful consequences as these; that they should try to use some means of quieting apprehensions which (even if never realised) would themselves be sufficient to embitter the life of the most thoughtless; and it is to afford this security that the Whiteboy combinations are formed." Then he proceeds to use this language, more than once quoted, but certainly remarkable:—"The Whiteboy Association may be considered as a vast trades' union for the protection of the Irish peasantry; the object being, not to regulate the rate of wages or the hours of work, but to keep the actual occupant in possession of his land, and in general to regulate the relation of landlord and tenant for the benefit of the latter. . . . That the main object of the Whiteboy disturbances is to keep the actual tenant in undisturbed possession of his holding, and to cause it to be transferred at his death to his family, by preventing and punishing ejectment and the taking of land over another's head," which is land-grabbing, "is proved by a whole body of testimony. A secondary, but not unfrequent object is to regulate the rate of wages by preventing the employment of strangers, or by requiring higher payment from the farmers. The Whiteboys of late years have rarely interfered with the collection of tithe, which was at one time their principal object of attack."

Now, my Lords, he gives at this point a classification of the crimes then prevalent. It reads like a record of the crimes your Lordships have been inquiring into—crimes which the Attorney-General was instructed to say were previously unknown: "To force the party to quit land in his occupation. To avenge the taking of land. To force the party not to eject tenants, or to punish him for ejecting them. To force

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“ the party not to take land. To force the party not to let land to certain persons. To force the party to let land to certain persons. To force the party to let land at a certain rate. To prevent the party from recovering possession of a house. To force the party not to pay more than half a year’s rent. To force the party to quit his service. To force the party not to employ or to punish him for employing certain persons. To punish for discharging from his employment. To prevent persons working under a certain rate of wages. To prevent or avenge the collection of rent, tithes, or county cess, or the taking of legal measures to enforce payment of them. To rescue parties arrested. To prevent the party giving information to the military. To prevent the execution of a warrant;” and so on, and so on. It is a classification of many offences which have been proved to have existed in this case. There is a conversation at page 109 by the Rev. Nicholas O’Connor, one of the witnesses examined, which is not without significance. It is asked, “ What are the principal objects they have in view?—To keep themselves upon their lands. I have often heard their conversations when they say, ‘ What good did the emancipation do us? Are we better clothed or fed, or our children better clothed and fed? Are we not as naked as we were, and eating dry potatoes when we can get them?’ Let us notice the farmers to give us better food and better wages, and not give so much to the landlord and more to the workman. We must not let them be turning the poor people off the ground.’ Then some of them that went to England and saw the way the English labourers are fed and clothed, came back and told them—‘ If you saw the way that the English labourers lived, you would never live as you do’; and some persons from another part of the country told them that they managed things a great deal better; that the way ‘ was to swear to be true to each other, and join to keep the people upon their ground, and not let the landlords be turning them off’; then proposed that they should meet at some shebeen house, of which there are too many, unfortunately, in the country, or some licensed house of low description where they get drunk and become demoralized, and thus they are reduced into the Whitefoot system.”

My Lords, I recollect a conversation quoted some years ago which made a deep impression upon me, for I knew the conversation had taken place as it was reported. A peasant in the south of Ireland in the year 1881, complaining of his hard lot and of the exactions and raisings of rent which had been put upon him by his landlord, whose name I will not mention, was bidden to be of good hope; that there had been promise of land reform and protection for the Irish tenant. The man’s answer was very significant. He said, “ I believe Government mean well, but,” he said, “ the people have done more for themselves than the Government will do for them. I am told that down Tipperary way” (this man was a Kerry man) “ the landlords were at one time the worst in Ireland, and some of them got badly hurt, God help them, and now they tell me that the landlords of Tipperary are as good as any of the landlords in the rest of Ireland.”

My Lords, that is a sad spirit to have got hold of the people, looking to themselves, not to the Government of the country and the Legislature of the land, for the redress of grievances. There are many other things in this interesting book that I would have desired to call attention to, but I have so much to say that I cannot dwell on it as long as I should otherwise desire to do. My attention is called to page 111. Very much the same thing has been said by Mr. Bennett, speaking of other counties, Kildare and Queen’s County.

(*The President.*) You are still on Sir George Cornwall Lewis’s book?

(*Sir C. Russell.*) Yes. “ The character appeared to me to be resulting from a conspiracy to prevent any person from taking land, or from possessing land from which the previous tenant had been ejected for rent, and threatening strangers of every description from coming into the country; also particularly directed against witnesses who either have come forward, or it was apprehended would come forward to give evidence upon criminal prosecutions, or with respect to land; that was the impression that was made upon my mind from the evidence I received.”

My Lords, I wish to call attention to the classification of crime. I have already mentioned I should like to call your Lordship’s attention to the quantity of crime referred to. Now, you will see, sad and regrettable as is the state of crime which you have been

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inquiring into for a period of ten years—many of those years, years of dire distress, as your Lordships will have demonstrated to you—how slight that crime comparatively is compared with the period I am now upon. The particular table I have is the year 1833. “Riots in Ulster, 340.” It appears that figure ought to be corrected, because a note says that in one of the districts of that province included under the head of riots, are assaults. That, of course, is unimportant for what I am upon. “In Leinster, 94; in Munster, 46; in Connaught, 59; total for that year of riots, 539.” “Rescue and resistance to legal process: Ulster, 127; Leinster, 41; Munster, 48; Connaught, 226: total, 442, for the year 1833. Illegal Meetings: Ulster, 83; Leinster, 128; Munster, 6; Connaught, 64: total, 281.” Then, there are “notices,” which I do not trouble your Lordships with. “Administering unlawful oaths;” total, 167. “Appearing in arms;” total, 145. “Robbery or demand of arms, 393. Assaults connected with combination, 926. Attacks on houses, 1,325. Burnings, 489. Maiming or destroying cattle, 271. Malicious injury to property, 890. Homicides.” “Ulster, 45; Leinster, 56; Munster, 80; Connaught, 57: total, 237,” in the year 1833. “Firing at persons,” (this was at the beginning of the Tithe War), total, 237. “Cutting and maiming, 31.” Then “burglary” I need not trouble your Lordships with, nor the others, making as the grand total of all crimes for that year the enormous number of 9,943 offences. Now, I think I am justified in saying that so far I have shown, in a condition of things in many respects far below the pressure upon the great body of the population, the intensity and pressure which existed in 1879, when the people had no open organisation, a state of crime much worse than anything that can be suggested as having existed in the worst years; and I hope to make it apparent to your Lordships that, although it may be suggested (that I will hereafter deal with) that the Land League exercised an oppression and a tyranny of its own (I will deal with that by-and-by), yet I say it is almost demonstrable that just in proportion as it was effective in these results, which may be said to have exercised and resulted in the exercise of a certain petty tyranny or pressure, it had the effect of lessening so far from increasing serious crime. And it seems to me that the consideration of the case makes it apparent that that must be so, because if you have got into existence focussed the expression of the opinion of a largely preponderating class in the community in condemnation of a particular line of conduct supposed to be inimical to the general interests of the community, if it take the form of boycotting, or what you please, it is perfectly obvious that in proportion as that force is effective, it must tend not to increase, but to diminish crime. You may say that is itself crime. I will deal with that hereafter. You may say that boycotting is crime, and a relentless form of tyranny, you may say. I shall examine that presently. I say it is demonstrable that, just in proportion as there is a focussing of the public opinion in the localities and throughout the country, it must have the result of lessening serious crime. The tithe war began in 1830, and it to some extent overlaps the period Sir George Cornwall Lewis refers to. It includes the year 1833, the statistics of which he gave us. It continued with (what shall I call it?) great force until the year 1835, when one of the few statesmen ever charged with the conduct of public affairs in Ireland, who showed a comprehension of his position and of the state of things in Ireland—I mean Thomas Drummond—succeeded to the Irish Office as Under Secretary, and he took a bold and resolute step—a step difficult perhaps to justify upon narrow technical legal grounds, because the tithe farmers and the tithe owners had the right to their pound of flesh, and they had a right to invoke in aid the civil authority; they had a right to invoke the executive forces of the Crown in assertion of those rights. Thomas Drummond refused them that help; and from 1835 until finally the Tithe Act was passed in 1839, there was comparative peace in Ireland in the matter. Boycotting existed; all the evils which are here referred to, as Sir George Cornwall Lewis’s book shows, existed in a marked degree. Men were ordered out of particular employments of obnoxious persons who would not yield to the suggestions or the behests of the Anti-Tithe organizers, and in this connexion, I will quote from a book which is the only work of any historian who may be said to be in sympathy with the defendants here accused, that I shall have occasion to refer to; but he quotes his authorities, and I refer to them because I find them conveniently collected there—I mean the book of my learned friend, Mr. Barry O’Brien, entitled, “Fifty Years of Concessions to Ireland.” I am reading from the first volume. He gives an instance

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of the mode in which the attempts at seizures for tithes were resisted, and at page 397, he gives this instance of the way in which those public sales were treated. Notices were put up to this effect: "(1) It is requested that no auctioneer will lend himself to the sale of cows distrained for tithes. (2). It is requested that no person will purchase cows distrained for tithes. (3.) It is resolved, that the citizens will have no intercourse or dealings with any person who aids in the sale of the cows as auctioneer or purchaser." The result was there were no sales. He then goes on to describe a scene which has a humorous, almost a ludicrous aspect. The anti-tithe organisers of Dublin caused notices to be served on five leading persons in their community, calling upon them not to pay tithes. These five persons were Lord Cloncurry, Mr. Armstrong, Mr. Bourne, Mr. Bagot, and Mr. Graydon. The notices were disregarded, and orders were then issued directing their servants and labourers to leave the employment of those gentlemen. These orders were instantly obeyed. A meeting was next held in the neighbourhood where these gentlemen lived, and they were all summoned to attend the meeting and explain their conduct in disobeying the injunction. Graydon, Armstrong, Bourne, and Bagot, I believe, all after an interval, came in and said they would not pay tithe any more. The question was asked by the chairman, Mr. Neill, where was Lord Cloncurry? An answer came that his lordship was not there, but that he had sent a number of labourers in his employ to represent him. The chairman said: "What have you got to say? Why did Lord Cloncurry pay the tithe?" "He did not pay it," said the spokesman, "and he was always a friend to the people, and always against the tithe, and he has not paid a shilling in tithe to Dean Langrishe since the Dean came to this parish." So far the case seemed very good, and Lord Cloncurry was going to be dismissed as having accorded with the popular wish in the matter, when one of the labourers more indiscreet than the others shouted out, "And what's more, the devil a copper of rent the Dane pays me Lord." So that immediately it became apparent that Lord Cloncurry on the one hand was not paying his tithe to Dean Langrishe, but, on the other hand, that Dean Langrishe was getting it in meat if not in malt, because he was not called to pay any rent to Lord Cloncurry. The result was that steps were taken. The expression of the meeting was that these servants were not to go back to work for Lord Cloncurry except he undertook not to pay the tithe. Well, my Lords, I could multiply these instances. These are not cases where, what is described in the indictment of the "Times" as self-interested, self-seeking politicians, have constructed the machinery for this anti-tithe war. It sprang up naturally, because there was a strong sense of the injustice and oppression which it was working upon the people; and then, as in every such movement alway naturally takes place, there came to the front men who take the same views, men who are fit to do work which the needs of the country at the time require to be done to meet a social wrong and a social oppression.

There is a Lords' Committee of 1839 which tells the same story that I have been already telling your Lordships. I do not propose to trouble your Lordships with a repetition of that. I merely give the reference to it in passing.

Now we come to still later days. It is a parliamentary committee of the House of Commons appointed in 1852; and here the venue is changed from the south and west of Ireland to the north of Ireland, the three counties whose disturbed state was then being inquired into, being the counties of Armagh, Monaghan, and Louth, two of them being Ulster counties. The committee was to inquire into the outrages in Ireland, and the form of the reference was to enquire into the state of those parts of the counties of Armagh, Monaghan, and Louth, which are referred to in Her Majesty's speech, into the immediate cause of crime and outrage in those districts, and into the efficiency of the laws and their administration for the suppression of such crime and outrage. I will give your Lordship a summary of the evidence. I will not trouble you at the same length as I have done. It is noticeable that what I may call the official class of witnesses, with hardly an exception—district inspectors, if they existed then, police magistrates, landlords, and so forth—all say the Land Question has nothing to do with the state of things now existing; all that is wanted to secure peace in Ireland is a strengthening of the criminal law; and they add that the effect of any concession in the shape of further yielding (as they call it) to the demands of the Irish tenants would be but to encourage them in their lawlessness, and to encourage their agitators. The

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agitators at that time were the men whose names I have already given to you in an earlier portion of my address. The agitators in the south were, prominently, Frederick Lucas, Sir Charles Duffy, John B. Dillon (the father of the accused John Dillon in this case), and, in the north, the Rev. Dr. McKnight, editor of the "Banner of Ulster," and the Rev. John Rogers, moderator then or thereafter, as I have already said, of the General Assembly of Ulster.

But, notwithstanding this official evidence, this committee made two suggestions. The witnesses had insisted upon the distress which existed in the administration of the law, and others of the witnesses had insisted upon the state of the land law, as being the cause of the disturbance, being inquired into. The Committee make these two suggestions :—(1) That there shall be but one panel of jurors to try issues civil and criminal at these assizes, in addition to any special jury which may be lawfully summoned, and that measures shall be adopted to secure strict impartiality in the construction of the jury panel. (2) That the attention of the Legislature be directed to an early consideration of the laws which regulate the relation of landlord and tenant in Ireland with a view to their consolidation and amendment, and especially to consider the practicability of such legislation as might provide adequate security to tenants for permanent improvements, and otherwise place the nation on a more satisfactory basis. Sir Charles Duffy, Mr. Lucas, Mr. Isaac Butt, a host of men, had again and again, as I shall have to point out, tried to do this thing and failed. Attention had not been sufficiently awakened and arrested in the mind of the English people and in the mind of the Imperial Legislature. They had not realised the significance and importance of it. The Devon Commission of 1845, seven years before, had recommended the same thing, in the same direction, on the same lines; and yet nothing was done till a quarter of a century after that recommendation of the Devon Commission, namely, in 1870. The recommendation being in 1845, nothing was done till 1870, and then an Act was passed which, to use the language of Mr. Leonard, agent for Lord Kenmare—language which was perfectly exact and perfectly right—produced no effect, or hardly any effect at all.

The point I am now upon, of course, is still the history of crime. The committee took the evidence of magistrates, police inspectors, and Catholic clergymen; and they reported on the 4th June 1852. The general state of things proved was the occurrence of numerous murders and other outrages, difficulty in detecting and securing the punishment of offenders, strained relations between landlords and tenants, a widespread secret ribbon society, and an open and avowedly constitutional organization called the Tenants' League, the heads of which I have mentioned. Evidence was given that several murders of landlords and land agents and magistrates had taken place, one notably which attracted a great deal of attention at the time, the murder of one Mauleverer, which was the occasion (as I have animadverted strongly upon the "Times" in general) of an article in the "Times," which I may hereafter refer to, stronger in its language than any speech or combination of speeches that have been read in the course of this case; bailiffs beaten for serving tenants with notices calling upon them to attend and pay their rents; herds and caretakers of evicted farms murdered; outrages upon occupiers of evicted farms; the murder of an agent, Powell, who had been clearing lands to enlarge the demesne of the owner, one Quin; a baker threatened for collecting his debts; an agent murdered for collecting rents; threats to the bailiff who gave the notice to pay the rents and to come into the office, and also to tenants who were going to pay rent and who had paid without reduction—the very same class of thing as is in question here; proof that it was customary for gentlemen to travel armed; threatening notices with coffins and the rest; outrages to prevent bidding for farms; outrages upon the occupiers. A number of these it was proved, as in this case, although connected with land, probably arose from private quarrels and differences.

Then, as regards the incidents and effects of these crimes, the great majority of the witnesses admitted that the land question was at the root of them; that the principal object was to get reductions of rents and to prevent evictions; that a large quantity of land was waste, because none dared to take it, and the landlords were afraid to stock it with cattle lest the cattle should be injured; general indisposition to take land from which tenants had been evicted; general sympathy with outrage, leading to the withholding of evidence; evidence of getting up subscriptions for the defence of prisoners in agrarian cases—regrettable but true—I mean as connecting cause with effect; reductions of rents, stoppings of contemplated evictions after and in consequence of outrage or the

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dread or apprehension of outrage, and then the agents in the commission of these offences, the active workers were labouring men and the younger sons of small farmers—the very thing which you have got again in this case, men described as moral in other relations of life; crime in Ireland spoken of as the “crime of the community.” An illustrious man, whose tongue is now silent for ever, Mr. John Bright, was a member of this committee, and I only wish your Lordships had the time and the opportunity to go through this and read his cross-examination, and see, reading between the lines, the views that are in full pressure and force upon his mind as to the difficulties and the causes which lie at the bottom of this disturbance.

Now, the evidence also showed that the rents had previously been punctually paid until the bad seasons of the potato crop. That is exactly what I shall prove, and what has been proved to be the case here, that those rents were paid partly out of the produce of the land, partly by harvest earnings in England, for even from the county of Armagh persons have gone for the purpose of working in the harvests; partly from remittances from relatives in service in England and from relatives in America; in the period of distress small subscriptions and little help from the landlords to the distress; that the greatest number of the outrages were in the baronies and parts of the counties where there were most ejectments and most threats of ejectment, and according to some of the witnesses the outrages were due to the high letting of the land and to the evictions, and to people having no other resource but the land.

(*The President.*) Is this your summary, Sir Charles, of the evidence?

(*Sir C. Russell.*) Yes, my Lord. This is the summary which my learned friend, Mr. Asquith, has helped me to produce, and which I shall be glad to hand to your Lordship.

(*The President.*) No, I only wanted to know whether it was part of the report.

(*Sir C. Russell.*) No, my Lord. This is the evidence. The report is a very short document. I have read to your Lordship from the report all that I considered material in the report. I was now reading (rather than read the whole thing at great length) a summary of the evidence, and opposite the summary the number of the question is in each case given, and I shall be glad to hand up both the book and the summary, if your Lordships desire to look at it. That the machinery of the outrage was organised by a secret society of Ribbonmen; that these societies were working by identical methods in the north and in the south; and that they were of long standing and under various names. Then it speaks to the religious character which the Ribbonmen had. I mean as belonging to a particular religious section. Just as the Steel Boys belonged to one particular religious section, the Ribbon Boys belonged to another, but so far as their methods and the objects of their attacks were concerned, Catholics equally with Protestants were attacked; that they made self-constituted tribunals to settle the affairs of the country; forced contributions; lots drawn as to the commission of outrage; not allowing persons to take land from which others had been evicted. And then, in answer to a suggestion—I admit a very faint and unimportant suggestion—which was made in the course of the inquiry as to the part which the Tenants' League had in the matter, I should like to read two or three questions at greater length. The only persons who made that suggestion were what I have called the police or official witnesses. I think this particular clergyman was being examined by Mr. John Bright, who apparently had taken a note of his evidence. “You have stated that the “origin of Ribbonism was the existence of Orange societies”; “You have “alluded to the case of Mr. Powell,” and so on. I need not trouble your Lordships about that. “You are perhaps aware that the Tenant League Association has been formed recently?—(A.) Yes. (Q.) Would you ascribe the “increase of crime in your district, or in neighbouring districts, to the existence of “the Tenant League?—(A.) I would not. (Q.) Would you say there is any connexion between the Tenant League Association and the perpetrators of crime in the “districts with which you are acquainted?—(A.) I think the Tenant League has a “directly opposite effect, inasmuch as hopes are held out that the condition of the “tenant may be improved; and I think that very expectation tends very much to “promote peace, and that any hope which is at all afforded that at any prospective “time will come in the shape of a quiet and peaceful arrangement of the differences “between landlord and tenant tends very much to the preservation of peace (Q.) Do you believe that the Tenant League are taking a peaceable and constitu-

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“ tional mode of accomplishing that object?—(A.) I do; and their motto is, in point
 “ of fact, that every one who does commit a crime in the prosecution of that object is
 “ an enemy to the Tenant Leage. (Mr. Bright.) I presume what you mean in regard
 “ to the Tenant League is, that they endeavour to make the people understand
 “ the question, and they make efforts to get legislation in their favour?—(A.) Yes.
 “ (Q.) Are you to be understood as justifying and defending and identifying yourself
 “ with every statement which is made by the Tenant League?—(A.) No.”

My Lords, a good deal more evidence is given to that effect, but there is the evidence of one witness which struck me as particularly important, the official witness whose name I have already read—namely, Sir Matthew Barrington, who appears to have been a Crown official for a great many years of his life. He was clerk of the Crown, I think, in Munster. I just interpose one other question. The Rev. Daniel Brown, Presbyterian clergyman of Newtown Hamilton, in the county of Armagh, is examined. He is asked, “ Have agrarian outrages increased within the last few years?—(A.) They
 “ appear to me to have increased since the failure of the potato crop, when the small
 “ farmers found it difficult to make up the rents they had been accustomed to pay,
 “ and landlords and agents commenced evicting and serving notices to quit. (Q.)
 “ Can you assign any reason for these outrages?—(A.) I think the want of a con-
 “ stitutional remedy for the social wrongs connected with the relation of landlord and
 “ tenant has led to many of these offences and crimes. I think if you gave a con-
 “ stitutional remedy for these social wrongs you would cut up crime by the root, and
 “ establish order on the basis of justice.”

Again the same Presbyterian clergyman on page 583 says this: “ (Q.) Do you think
 “ that the outrages which have occurred in those districts are the result of Ribbon
 “ conspiracy?—(A.) I cannot say what may have been the agency employed; I am not
 “ cognizant of that; but I feel satisfied in my own judgment and conscience, that they
 “ arose from the unfortunate state of the relations between landlord and tenant. I
 “ do not impute them to religion or to politics; and I say further, that when the
 “ State has not provided a Constitutional remedy for social wrongs, the principles of
 “ our nature look for a remedy, and bad men, taking advantage of that, very often
 “ commit crime. Coercion without remedial measures, will only aggravate the
 “ disorders of the community. Justice is the only firm basis of public order. The
 “ oppression of rack-rents and of extra police taxation, punishing the innocent for
 “ the guilty, exasperates and disturbs the community, and drives multitudes away to
 “ a land where labour finds its reward.” My Lords, I merely call attention to the evidence of Sir Matthew Barrington, but before I leave this Committee, I should like to call your Lordship’s attention to the figures of crime. It is at page 590 of the Appendix to the Report. First, there is the return of the number of cases in which parties have been made amenable to justice for the years 1849 and 1850. Then there is a comparative return of outrages and arrests reported as distinguished from those for which parties had been made amenable. I will only trouble your Lordships with the more important offence of homicide and firing at the person.

(Mr. Justice A. L. Smith.) Are you going to take all Ireland, or only a part?

(Sir C. Russell.) This is the whole of Ireland. In 1849 parties made amenable: Homicides, 163; firing at persons, 44; total number of cases of all kinds at sessions, general sessions, assizes, magistrates, grand total, 199,009. That is for the year 1849. In 1850, homicides, 165; firing at persons, 22. Your Lordships of course understand that this is not conversant only with agrarian crime.

(Mr. Justice A. L. Smith.) I quite see.

(Sir C. Russell.) Your Lordships understand it is for the whole crime, the grand total of all 214,181. That is everything. I am citing it merely because I am under the head of homicide. These are the cases for which parties have been made amenable. Now, the cases reported in 1849 are, homicide, 203; in 1850, 139. I remind your Lordships that over the whole period of 10 years which has rightly or wrongly been covered in this inquiry (I mean by the evidence given in this inquiry), going down to as late as the year 1888, I think, if not the year 1889, the entire number of murders of which evidence has been offered to your Lordships, connected with agrarian causes, amounts, I believe, to about 26.

[Adjourned to to-morrow at 10.30.]

J. B. Hart

“Uncorrected Proof.”

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Russell
2nd Day
SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
PROBATE COURT, No. 1,
Wednesday, 3rd April 1889.

(*Sir C. Russell.*) My Lords, when the Court adjourned yesterday I was pursuing the history of agrarian crime in Ireland, and I was following in order the account with which I troubled your Lordships at some length, of what I described as the historical predisposing causes to crime in times of distress and particularly to agrarian crime in Ireland. I have nearly arrived at the end of that branch of the case. I have referred your Lordships to the remarkable parallelism between the state of things shown to exist in 1852 in the three counties of Armagh, Monaghan, and Louth, two of those counties being Ulster counties.

Next in order of date came the Land Act of 1870, but I do not propose to give your Lordships a history of that Act at this moment. I desire to give it under the next head as part of the historical treatment by legislative action of the land question itself. But in 1870 or 1871 there was another outbreak of crime in Ireland which prevailed in a most marked degree in West Meath, which was one of many counties in Ireland which had been subjected to clearances upon an enormous scale. Whole villages and hamlets and houses by the hundred had disappeared under the operations of those clearances; and in 1870 and 1871 undoubtedly crime had risen to a very high point in West Meath. There was one of the ordinary committees of inquiry, and at that time and in relation to that measure a speech was made by a distinguished statesman at this time, I mean Lord Hartington in 1871, describing the state of things there. After describing the crimes which existed, he proceeds thus: “All these acts of violence are, we have reason to believe, “ the work of the Ribbon Society. The reports which we receive show that such a “ state of terrorism prevails that the society has only to issue an edict to secure “ obedience. Nor has it even to issue its edict; its laws are so well-known and “ infringement of them is followed so regularly by murderous outrage that few “ indeed can treat them with defiance. Ribbon law and not the law of the land “ appears to be that which is obeyed. It exercises such power that no landlord dares “ to exercise the commonest rights of property. No farmer or other occupier dare “ exercise his own judgment or discretion as to whom he shall employ. In fact, so “ far does the influence of the society extend that a man scarcely dares to enter into “ open competition in fairs and markets with anyone known to belong to the society.” My Lords, this was at least a time when there existed no open organization in relation to the land question at whose door could be laid the blame of these events. I shall have to refer at this date also to the views perhaps as important as any views to which I have hitherto called attention, of Dr. Neilson Hancock, for many years the statistician of succeeding Irish Governments and whose views upon the social and economic condition of Ireland have been regarded by all men of all parties as entitled to the highest weight. That, again, I reserve until I come to the consideration of the Land Act of 1870.

Lastly, in this connexion I will cite, a little out of order of time, an authority of great weight, and to whom I refer now because, in connexion with the expression of his opinions, he mentions as regards a particular epoch to which I have not drawn pointed attention, the state of crime as it then existed. I refer to an important speech of Lord John Russell when in 1846 one of the perennial Coercion Acts was being introduced into Parliament. I find the book is not at hand, and I will not refer to it.

I next come to the question of the history of legislative dealing with the land question, and I might remind your Lordships, in order that the sequence may be

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clear in your minds, what I have endeavoured so far to make clear. I have dealt historically with what I have called the predisposing causes of crime and especially in times of distress, of agrarian crime. I have shown, I think, that the main volume of crime was in fact agrarian; and I have also shown that in the previous periods to which I have adverted, agrarian crimes existed of the same class, springing from the same causes, but in greater volume and intensity than over the period with which your Lordships are now dealing. I have established, I submit, that with the recurrent distress there was recurrent crime; and I wish to emphasize that all the more, because your Lordships will recollect that in the present case while the Land League was universal in Ireland, with branches in every county, and in every parish, the crime attributed to it is local, and, in point of fact, the crime which it is here sought to attribute to the action of the Land League, under the direction and inspiration of the leaders of the Land League, is in the districts and the area in which the greatest amount of distress prevailed.

Your Lordships may not know at the moment—your Lordships have not yet, I think, been told—that we have definite authority for defining that area of distress, that definite authority being the action of Parliament in the years 1879 and 1880, which scheduled for certain purposes, to which I will hereafter refer, what were known as distressed districts. Those districts, broadly speaking, mean parts of Galway, parts of Mayo, parts of Kerry, parts of Clare, and part of Cork. You will recollect that we sought to press the witnesses in cross-examination as to whether the greatest crime did not exist, or crime did not exist, in the most distressed districts, and whether, while in those districts it was greatest outside where the action of the League was vigorous (as your Lordships will hear, all over the country) there was not the same presence of crime. The Attorney-General, in order to make some attempt to meet that suggestion, called one or two witnesses from Wexford, as well as I recollect, and I think one or two from the Queen's County, to speak to some acts of boycotting, and I think, in one case, to some acts of violence. I am entitled, therefore, I submit, to assume, as I believe the fact is, and, as I believe the statistics of crime which have been put in show, that in no abnormal sense did crime, even of an agrarian kind, prevail in the other parts of Ireland outside the comparatively narrow extent of the distressed districts.

Having dealt with those matters, I have now to ask your Lordships to consider how Parliament has dealt with this land question, which I have endeavoured to show was at the root of the difficulties which exist. And here let me make this broad statement that before the Act of Union, as well as since the Act of Union, there had been a unanimous condemnation by every writer of the existing land system in Ireland. I call upon those who may be disposed to dispute my assertion to produce one writer of authority who has ever defended that land system as it has prevailed in Ireland. I could occupy your Lordships' attention for long on this matter. I do not propose to do so; but I may cite amongst those who have condemned the system and attributed to its existence many of the evils which exist in Ireland, such writers of authority as Bishop Nicholson, Dean Swift, Bishop Berkeley, and Lord Clare, who, answering Grattan in an appeal which he made in Parliament upon the eve of the Act of Union upon this very question uses this remarkable language: "I am very well acquainted," he says, "with the province of Munster, and I know that it is impossible for human wretchedness to exceed that of the miserable peasantry of the province. I know that the unhappy tenantry are ground to powder by relentless landlords." I might cite the authority of Archbishop King, of John Wesley, of Archbishop Synge, of Mr. Dobbs, of Skelton, of Madden, of Arthur Young (whose authority is second to none in the consideration of economic questions), of Lord Townshend (Lord Lieutenant of Ireland), of Lord Charlemont, who says this: "The grievances of the peasantry are exorbitant rents, low wages, want of employment in a country destitute of manufactures, where desolation and famine were the effects of fertility, where the rich gifts of a bountiful mother were destructive to her children, and served only to tantalise them; where oxen supplied the place of men, and by leaving little room for cultivation while they enriched their pampered owner, starved the miserable remnant of the thinly scattered inhabitants; farms of enormous extent, let by their rapacious and indolent proprietors to monopolising land-jobbers, by whom small portions of them were again let

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“ and re-let to intermediate oppressors, and by them subdivided for five times their value among the wretched starvers on potatoes and water.” I might refer to Bishop Woodward, to George Cooper, amongst other authorities before the Act of Union; since the Act of Union Newenham in his “Views of Ireland;” Wakefield, one of the most intelligent writers of this period, in his “Account of Ireland.” I might refer to report after report of committees of the Houses of Parliament in 1819, in 1823; to the reports of the Poor Law Commissioners, showing the condition of the cultivators of the soil; to Thomas Drummond; to Gustave de Beaumont; to the Devon Commission. To Sir George Lewis I have already referred, and I have already referred your Lordships to the remarkable authority and pronouncement of Baron Fletcher, in 1814.

My Lords, I again affirm that, while there has been this unanimous chorus of condemnation (and I ask that my proposition may be challenged and questioned, if it can be) until the year 1870 nothing was done to protect the tenant or to stay the rapacity of the landlords. I say that what was done, even on the testimony that your Lordships have already had from a land-agent certainly of experience in the south of Ireland (I mean Lord Kenmare’s agent, Mr. Leonard) had no practical or widespread effect. Again, I remind your Lordships of what I have previously said, but its importance will justify my repeating it—that human experience shows that you may have a bad system of law, in which the rights of one class of the community may be by the law to a great extent at the mercy of another class; you may have in a healthy community, where there is a local influential public opinion operative amongst the class and in the community, a law in its letter intolerable and yet working in its daily administration and under the moderate exercise of its rights, a state of things which is perfectly tolerable. But I have pointed out to your Lordships that while the law gave no protection, the unhappy political and social and religious circumstances of the country deprived the people of that protection of public opinion which moderates, controls, and makes the law.

I will not go to remote periods in the history of the land question. I will not, although commentators have done so, lay stress on and give importance to the history or dwell upon the story of the various confiscations in Ireland. I will only make this passing comment. It is conceivable that confiscations wholesale might take place in a community, inflicting great injury and injustice upon individual owners of land, and yet the general progress of the community would not be seriously thereby affected; and of that class has been the history of the confiscations, speaking for the most part, which have occurred in England. But in Ireland the history of the confiscations was wholly different, for it meant not merely the confiscation of the property of the landlord, but the confiscation of the status under the old tribal and sect system of the Irish tenant class. It meant not merely the confiscation of the property of the landlord; it meant the introduction of the feudal system into Ireland, wholly foreign to the country, and which practically and materially altered the status of the actual cultivators of the soil.

I have said I will not go far back in the history of the question beyond that passing word. In 1843, the Devon Commission was appointed, and in 1845 made its report. It was appointed in December 1843, and it derives its name from the distinguished nobleman, a man of undoubtedly great ability, who was at its head, I mean the then Earl of Devon—a man who undoubtedly showed the greatest ability in the conduct of the inquiry committed to him. I have to say of that Commission, as I have to say of every commission down to the latest, that it was in the main a landlord commission, that is to say, that each commission has been a commission the heads of which were identified with the landed interest; that they were for the most part (I think with the single exception of the Besborough Commission in 1880, to which I shall have to call attention in a moment), commissions not merely of landlords or men in the landlord interest and connexion, but they were mainly Englishmen. I am not suggesting that they were the worse for that; but what I mean to suggest is, that while on the one hand, if they were to be taken from the landlord class, it certainly was desirable that they should not be taken from the Irish landlord class; on the other hand, they approached the question with no antecedent knowledge of it, bringing to it their views and considerations of the land question itself and of the relative position of landlords and tenants, bringing to it their conceptions of the system which prevailed in England.

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Under the direct superintendence of Lord Devon himself, a digest of the part relating to the occupation of land in Ireland was published, for I may tell your Lordships that the report itself extends to a very large number of huge blue books with which I could not think of troubling your Lordships, but in the preliminary chapter the first and second sentences are these: "The whole of that vast mass of evidence taken by the Commissioners in reference to the mutual relation existing between the proprietors and occupiers of land in Ireland is at once conclusive, painfully interesting, and most portentous in its character. It proves that the safety of the country, and the respective interests of both those classes call loudly for a cautious but immediate adjustment of the grave questions at issue between them. In every district of the country we find that a widely spread and daily increasing confusion as to the respective rights and claims of these classes exists; and it is impossible to reject the conviction that, unless they be distinctly defined and respected, much social disorder and national inconvenience must inevitably be the consequence."

My Lords, for a quarter of a century, in the face of that solemn warning, nothing was done.

He then goes on: "It is difficult to deny that the effect of this system is a practical assumption by the tenant of joint proprietorship in the land; although those landlords who acquiesce in it do not acknowledge to themselves this broad fact, and that the tendency is gradually to convert the proprietor into a mere rent charger, having an indefinite and declining annuity or the lease of a copyhold. In the north, where it is permitted, agrarian crimes are there. In other places, where it is resisted, they are of common occurrence."

My Lords, let me here point out the same grounds upon which rests the justification, the claim of a tenant-right in the north, or, as it is called, dual ownership or joint proprietorship, is precisely the same ground which exists over the whole of the rest of Ireland. It is based upon the fact, the essential fact, speaking broadly and generally, that whereas in England a farm is let equipped for its use as a farm, that while in England the landlord has to put his hand in his pocket from year to year, his covenant requires him to keep up the farm buildings, houses, fencing, and gateing and draining; that all this, broadly speaking, is the work of the tenants in Ireland; and I do not hesitate to say that to such an extent has that system prevailed in Ireland, that under a strong healthy local opinion there would have been years ago in Ireland a declaration probably coming from the judicial bench, recognising the custom—recognising the equities which arise from that custom, and doing what the English judges did in a case not very dissimilar—declaring the copyhold rights of large classes of occupiers of land in this country.

My Lords, then he goes on to warn the proprietors; indeed, he uses (I had forgotten it) the very word which I have just used. He says: "The landowners do not appear aware of the peril which thus threatens their property, and which must increase every day that they defer to establish the rights of the tenants on a definite and equitable footing. They do not perceive that the present tenant right of Ulster is in fact an embryo copyhold."

Then, my Lord, a little later on: "They do not perceive that the disorganised state of Tipperary and the agrarian combination throughout Ulster are but the methodised war to obtain the Ulster tenant right, or that any established practice, not only may, but must, erect itself finally into law, and anybody who will take the pains to analyse this growing practice will soon perceive how inevitable that consequence must be in the present case unless the practice itself be superseded by a substitute that shall put the whole question on a sound, equitable, and invigorating basis."

Your Lordships cannot fail to see that while the mind of the Commission of Lord Devon was struck with the necessity of dealing with it, yet imparting his own notion of the rights of property, and his own preconception of how property is dealt with in England in the relation of landlord and tenant, he is struggling to suggest the necessity, is pressing the necessity for an equitable adjustment of this question.

Then, my Lords, there are many passages in it which I would be glad to read in the same sense, but I will not. Then, my Lords, in chapter 8, he digests and proceeds to consider the evidence as to the connexion between the state of the law and agrarian crime in Ireland. "The great majority of outrages mentioned in the evidence here appear to have arisen from the endeavours of the peasantry to convert the possession

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“ of land into an indefeasible title. In the northern counties, the general recognition
 “ of the tenant-right has prevented the frequent recurrence of these crimes. Even
 “ there, however, if the tenant-right be disregarded, and a tenant be evicted without
 “ having received the price of his goodwill, outrages are generally the consequence.
 “ The opinion of most of the Ulster witnesses examined upon the point appears to be
 “ that any systematic attempt to destroy the tenant-right would be attended with much
 “ danger to the peace of the country.” And remembering the way in which this case
 has been presented, let me read this passage. “ It further appears from the evidence that
 “ vengeance is more frequently against the incoming tenant than against the landlord
 “ or an agent; that in some cases agrarian prejudices are mingled with the other
 “ causes producing outrage. There can be very little doubt, after full consideration
 “ of the whole evidence that the real original source of agrarian outrage, as well as of
 “ most other national disorders that exist in Ireland, is the disproportion between the
 “ demand for and the supply of labour, and the gross ignorance of the profitable modes
 “ of applying such labour. The price of land, however small its extent, had become
 “ the only security for the supply of food, and to lose that security was, in fact, to risk
 “ the very existence of the family from which it was taken. Hence most occupiers of
 “ land in England have been interested in one common and well-understood cause,
 “ which, without any expressed agreement, was well calculated to produce amongst
 “ them that uniformity of action which is found to prevail in Ireland in resisting the
 “ exercise of legal rights.”

Some remarkable evidence was given by one of the witnesses to which I should like to call your attention. It was Mr. Hancock, a brother of Dr. Neilson Hancock, to whom I have referred. He had for years been the agent for the estate of the late Lord Lurgan, situated, as your Lordships are aware, in Ulster. I have not, my Lord, at the moment the passage in my hand, but I well recollect it. He gave his evidence before the Commission, and very much in the sense in which Lord Devon refers to it. “ He said tenant right is the real security for the peace of Ulster. He pointed out that the presence of manufactures in Ulster had, to some extent, lessened the demand for land in Ulster in the sense of not making it the same necessity for the subsistence of the people;” but he uses this extraordinary language. He says, “ If there was any systematic attempt to interfere with the tenant-right of the tenants of Ulster, I do not believe that there is force enough in the Horse Guards to put it down.” Again the same man, Mr. Hancock, on the eve of the Land Act of 1870, was consulted—I thought I had the work here, but I haven’t—and he said, “ I repeat with greater emphasis after a further experience of a quarter of a century, what I said before the Devon Commission, and I say that, having had 30 years’ experience of the management of a large estate in Ulster, upon which crime has been lowest, upon which distress has been lowest, and in which the police force of the district has been lower than in any other part of Ireland.” Well, my Lords, I have said nothing was done; too much was attempted. I gave your Lordships yesterday the names of some men who made attempts—Charman Crawford, Lucas Duffy, George Henry Moore, Isaac Butt, and one name that I had forgotten, which I certainly ought not to have forgotten, for he laboured earnestly and zealously on this question—I mean the late Mr. Justice Shee, when he was in the House of Commons. What was the fate of those attempts? Parliament crowded with other affairs—the minds of men occupied with matters which they regarded as of graver moment. Men did not realise, did not realise the importance of the peace of Ireland and the contentment of its people involved in this question. The result was that not one of these attempts was successful. Some of them may have passed the barrier of the House of Commons, but none of them ever issued as law from the House of Lords. I am not making in this case, as your Lordships well know, any attack upon either political party. I am speaking of the general misgovernment of the country, from a want of the appreciation of the circumstances of the country; from a misunderstanding of the needs of the country; and I gladly say that it was an eminent man and a lawyer of the Tory party, who showed as much foresight and as keen an appreciation of this question as any of the other men to whom I have called attention—I mean the late Mr. Joseph Napier, for many years, as your Lordships will recollect, member for the University of Dublin, a member of the Privy Council in this country, and afterwards, as your Lordships will of course also recollect, and as I am reminded, Lord Chancellor of Ireland.

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Next in order comes in giving your Lordships the history of the matter ; the recommendations of the committee inquiring into the state of crime in certain districts in Ireland in 1852. I referred to it yesterday. I will not recur to it now. It is remarkable, because that committee was not appointed to consider the land question, and the evidence of the official witnesses called before that committee is that the land question has nothing to do with the trouble that existed in Ireland at that time. Nay, they go the length of saying that any concession to the Irish tenant class would only create disorder in giving them greater confidence, and hope that by perseverance in disorder, they may effect greater change. And yet you have there again recommendations, which I will not again read, of the need for legislation on the question.

My Lords, an intermediate Act was passed before we come to the Land Act ; it was a retrograde Act ; the Act known as Deasy's Act, passed at that time in 1860, when Irish parliamentary representation stood indeed at a very low and discreditable ebb, for the country had not recovered the shock, the want of faith created by the betrayal of the so-called independent opposition party formed and created in 1852. This was an Act, as every Act passed up to the time of which I am now speaking, to help the landlords, and not, as I shall show your Lordships presently upon high authority, one passed for the protection of the tenant. It turned the relation between landlord and tenants from being relation by tenure to relation by contract ; it gave certain facilities in the matter of proceedings in ejectment ; it recognised and formulated what had been an existing law going back for a long period—a state of law unknown in this country, and, as far as I know, unknown in Scotland, I mean the right of ejectment pure and simple for non-payment of rent. There is no such thing known to our law. Yet it has been the law for years in Ireland. Our law is, that you can recover as for condition broken, if you have a clause of re-entry in your contract ; but upon a letting pure and simple of land without that, such was the state of things in Ireland without written contracts or without condition of re-entry, you could not maintain the action of ejectment for non-payment of rent pure and simple. That was the law in Ireland. But, my Lords, I will mention it a little out of date, that perhaps the most remarkable Act passed in relation to Ireland on the land question was passed in the year 1848. I mean the Encumbered Estates Act. It was supposed that all that was wanted in Ireland is what is called the introduction of capital ; that all that was wanted in Ireland was to dispossess, to get rid of ancient owners of land who had by their own improvidence and their extravagance, or by that of their ancestors become wholly overwhelmed by debt, and unable to discharge those duties which are supposed to be connected according to English notions with the ownership of land and with landed proprietorship. My Lords, a more complete misconception of the state of things in Ireland than that Act evinced can hardly be pointed to. For what did it do ? I am not denouncing Irish landlords, neither do I wish to confound them in one general body. There are men amongst them who, I doubt not, have struggled under difficulties to do their duty. I believe there are many more amongst them who are suffering less for their own sins than for the evils of the system under which they have lived, and for the sins of their fathers who have gone before them. But what was the effect of this Act ? It is hardly conceivable that a legislature in which Ireland was represented, imperfectly, it is true—that a legislature purporting to deal with Ireland should have so misconceived the position as to have passed that Act. For what did it do ? It sold the estates of the bankrupt landlords to the men with fresh capital, who were jobbers in land, with the accumulated improvements of the tenants, and without the slightest protection against the forfeiture and confiscation of these improvements, by the hands of the proprietor newly acquiring the estate. It was intended, I doubt not, to effect good. It proved a case of the gravest evil, for it is literally true to say—and there is not one, I think, who will dispute the statement—that amongst the worst cases of landlord oppression in Ireland have been the cases of men who, with their fresh capital, came in and bought these estates, looking to the percentage of return which they could get for their money—jobbers in land who were not restrained by any feelings. And such feelings, my Lords, did to a certain extent exist—of kindness because of ancient connexion with an ancient peasantry, and an ancient proprietary house. And I have seen, as my learned friends have all seen, rentals after rentals sold in the Encumbered Estates Court, in which, as an inducement to the

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intending buyer, were held forth the alleged low rentals at which they were then let, and the possibility held out to the expected purchaser that he might, by another turn of the screw, raise the rent and increase his percentage return for the land he was buying. My Lords, it is a sad, pitiable, remarkable proof of the utter ignorance which proved, I say it broadly and boldly, even in men well intentioned, as to what the needs of the Irish question in this regard demand.

In 1870 the first Act which gives any protection to the Irish tenant was passed. I might, and can deal with it very shortly. It to some extent recognises and legalises the Ulster tenant custom in Ulster, where that custom was shown to prevail; and as regards the parts of Ireland where it did not prevail, it provided that where by a process of arbitrary or capricious eviction, a landlord ejected his tenant, that he should be obliged to pay him subject to the judgment of the county court judge a certain measure of compensation for the loss of his farm.

Now my Lords, that was well intended nobody can doubt. It left the House of Commons stronger and more protective than it returned to it, for in the House of Lords it was to a considerable degree emasculated. But as it became law, it broadly speaking contained a provision that I have mentioned. But what it did not do was this—it had no provision against arbitrary and excessive increases of rent. It gave to the tenant in certain events chances and opportunities of getting some compensation if he quitted his farm; but when your Lordships are reminded that the farm is the thing—the holding is the thing, to which the man looks for his support and that of his family, he could only get compensation in the extreme and in the rare case where he was willing to give up that which seemed to afford the only means of subsistence for himself and his family.

My Lords, I might pass without labouring the point, because subsequent commissions have recognised that this Act was absolutely wholly ineffective for the purposes at which it was aimed. I do not desire to keep referring to the evidence of Mr. Leonard, who expressed an opinion substantially to that effect. I say broadly the number of cases which came under its intended protective provision was small, the compensation considered inadequate, and the general effect upon the community in Ireland of a very limited character and extent. But, my Lords, not only did it not provide against arbitrary and excessive increases of rent, it excluded large classes even from its protective provision, it afforded no protection to leaseholders. The tenants and the landlords might contract themselves out of the Act. And in a community, the basis upon which all subsequent legislation has passed being that there was no freedom of contract between the landlord and tenant—that they were not dealing with one another at arm's length—I need not say that that power to contract out of the Act was in effect largely availed of. Nay, more, as subsequent commissions and subsequent Acts of Parliament have shown, the landlords availed themselves of those loopholes. Leases were forced upon the tenants wholesale; contracts were made by which the tenants contracted themselves out of the Act; and, my Lords, I wish to emphasize this fact, that so little was this regarded as any substantial approach to deal with the grave difficulties involved in this question, that the Irish members—I mean the section of them which may be said to represent and be in sympathy with the Irish tenant classes—so far from supporting this Bill when it was in the House of Commons, although proposed by the Liberal party, and strongly opposed by the opposite party—the Irish members walked out of the House, protesting it was boldly inadequate for the real good of the country.

There is one provision and one provision only in that Act to which I shall make a passing allusion, and it is this. I have said that the compensation was not given except in the case of eviction, which is universally true, and there was no provision against arbitrary and excessive increases of rent. There was one exception, as I wish to be correct, which I should like to mention, and that is in the case of holdings under the value of 15*l*. There was the power if in the opinion of the judicial tribunal, the rent was exorbitant, to give compensation upon quitting the holding, in such a case as that. But again, that word “exorbitant” was construed in the way which deprived the clause of all its protection—I do not suggest wrongly interpreted—because what is “exorbitant” taken to mean?—The landlord might well say the rent was not exorbitant, because if the tenant in possession had not agreed to pay it, hundreds of others would have been willing to take the farm, and to have agreed to pay it, therefore it was not exorbitant.

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Your Lordships will find it again referred to in the subsequent provisions, and referred to in the subsequent Act of Parliament where the use of the same word "exorbitant" is pointed out as having prevented any real application or general application of the protective provisions.

So far up to the year 1870. During each succeeding year efforts made at land reform; but before I leave that period, and as I have got the book now here, I should like to call your Lordships' attention to what I adverted to, but did not read. I referred to the evidence of Mr. Hancock, given originally in 1843, or about that period, before the Devon Commission, and he says this: "I consider tenant right beneficial to the community because it establishes a security in the possession of land, and leads to the improvement of the estate without any expenditure of capital on the part of the landlord. It is very conducive to the peace of the country, for almost every man has a stake in the community, and is therefore opposed to agrarian outrage as well as riots. The laws are more respected. There are none of those reckless daring men who are ready for any deed, under the consciousness that their situation cannot be worse. The liberty of the subject is more respected, and imprisonment has greater terrors, from the fact that almost any tenant can obtain bail for his future appearance in court, or for his future good behaviour. The landlords are compelled to recognise the tenant right, as, in several instances in this neighbourhood, where they have refused to allow the tenant right, the incoming tenants' house has been burnt, his cattle houghed, his crops trodden down by night. The disallowance of tenant right, so far as I know, is always attended with outrage. A landlord cannot even resume possession to himself without paying it. In fact, it is one of the sacred rights of the country which cannot be touched with impunity, and if systematic efforts were made amongst the proprietors of Ulster to invade tenant right, I do not believe there is force at the disposal of the Horse Guards sufficient to keep the peace of the province. And when we consider that all the improvements have been effected at the expense of the tenants, it is perfectly right that this tenant right should exist; his money has been laid out on the faith of that compensation in that shape."

My Lords, I said that, having given that evidence in 1843-4, Mr. Hancock appends to it this note in 1860: "My evidence in 1844 was prepared under the advice and with the concurrence of the late Lord Lurgan, a warm and true friend of Ireland; who was for 25 years in the possession of his estates, and as a resident landlord devoted much time and money to their development. The evidence was well and cordially received by the tenants, and I now confirm the same after 25 more years experience, thus giving a continuous history of nearly 50 years on an estate in Ulster managed to the satisfaction of landlord and tenant, in which tenant right, peace, prosperity and progress prevailed, on which all religions have ever been treated with perfect equality and respect, and on which the police force numbers less than half the average stationed throughout the country."

In this same volume, and in reference to the Act of 1870, which was then in course of preparation, I have to call your Lordships' attention to a very remarkable piece of information. The government of the day were preparing for their legislation, and they were anxious, of course, to have the best information and guidance which experience and figures would give them, and accordingly there was submitted to Dr. Neilson Hancock a number of questions. One of those questions is this: "Can any, and, if any, what relations be traced, county by county, or district by district, between the number of evictions, and the number of agrarian outrages, of threatening notices, or of other indications of a like nature?" and his answer is this: "The most important relations between the number of evictions and the number of agrarian outrages and threatening letters is that shown by the numbers of each from year to year, as presented in No. 1 diagram, founded on the statistics of all the counties." The correspondence, and the general character of the curves is very obvious and remarkable, the curve indicating murderous offences being found, not on a large average, but on individual cases, is naturally more subject to sudden variations than the other curves. And, my Lords, in that diagram which is annexed to this printed answer is a line representing evictions, a curved line representing the threatening notices, a curved line representing murderous offences, and the general coincidence which Dr. Neilson Hancock points out, is most remarkable. He is further asked, or the question is further asked, in relation to the effect of the Ulster tenant right customs, and he points out that

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in Ulster, in certain defined counties—Derry, Antrim, Down—the tenant right custom has almost grown into the strength of law. That in the remaining counties of Ulster the claim of tenant right is made and generally recognised, not invariably, and he sets forth a remarkable series of figures showing that in the counties where this right is recognised as having practically the force of law, crime is less, prosperity greater, and in the counties of Ulster, where it is generally, but not invariably, recognised, the figures of crime are greater.

This is a volume which is of course at your Lordships' disposition, or at the disposition of my friends, if your Lordships desire it. It is a document printed by the Queen's printers, and compiled for the information of the then Ministers of the day. Of course, this is an authentic record of the views of a man of very wide experience on this question, as he was upon any question relating to the economic condition of Ireland.

Now, my Lords, I come to what I conceive to be the most important part of this case, the state of things in 1879, when the Land League was established, and if I am able to show your Lordships, and I shall rely only, or almost only, for my present purpose, on governmental reports of that nature; if I am able to show your Lordships that the state of things in point of actual distress was grievous, the pressure on the small farming class—I am speaking principally of the west and south—of an intense character, so intense that the credit, upon which in previous years they had practically lived, the shopkeepers in their neighbourhood supplying them with food, was withdrawn; if I show your Lordships that the year 1879 following two bad years of 1877 and 1878 was the worst year since the famine of 1846, showed the lowest per-centage of marriages, and the highest per-centage of deaths, I think I shall have disclosed to your Lordships a state of things on which this conclusion is inevitable. That either there was need and justification for a strong, open combination of the tenant classes, for their own interests, standing side by side, the weak and the strong together, or, if there had not been that strong combination, there would have been a repetition on a larger and more grievous scale of the tithe war of 1832 and 1835, a sporadic warfare over the whole of the country, or the greater part of the country, and constant, serious bloody conflicts with the forces of the Executive. I have said that the years 1877 and 1878 were bad. I shall prove them presently by figures to have been so. I have said that the shop-keepers withdrew their credit. I shall prove it by the governmental reports.

People who took a superficial view of things at this very time, amongst the ill-informed, are found to point to the fact that even in some of these distressed districts the deposits of the savings bank and the local banks had increased. My Lords, the same thing had occurred in the famine of 1846. Nor is the reason far to seek. These were not the deposits of the small wretched struggling farmers, but these were the deposits of the men who in a more prosperous and healthy condition of things were embarking their money in trade and cattle dealing, and shopkeeping, and lending out their money to the people of their neighbourhood, advancing provisions, lending out money, but once trade is in this way checked, once the sense of insecurity becomes widespread, immediately there is a withdrawal of this diffusion of capital, and it must find its resting place somewhere. That was the state of things in 1879.

My Lords, side by side with that, what was the state of things with regard to landlord action? Just as, following the famine years, ejectments multiplied, and threats of ejectments, so it was in 1879, 1880, 1881, and 1882. I shall give your Lordships the figures presently. I have said already that it is not any part of my purpose to pass a wholesale condemnation upon the landlords. They suffered—questionably they suffered. They, either from want of appreciation of their duties, or from want of means to enable them to fulfil their duties, or from a combination of both, certainly have played neither a patriotic nor a generous part, and if it was necessary to make a contrast, I would refer your Lordships, for it is common knowledge, to the mode in which English landlords met their tenants; for the depression which existed in Ireland and which was felt in great intensity there, was felt in England too; felt by landlords and by tenants alike, but met in England by a just appreciation by the landlords of the position; by deductions over the length and breadth of the land, reductions greater even than the forced reductions afterwards obtained through the instrumentality of the Land Courts; and reductions,

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my Lords, in England of 25 per cent. is certainly the equivalent at least to a reduction by an Irish landlord of 40 per cent. The English landlord still has to have his hand in his pocket, even for the smallest of rentals, but in Ireland the landlords, partly from necessity, partly from want of generous consideration, continued to press their tenants. I am speaking of them as a body, and I say they did not meet the necessities of the case in any proper spirit, or until the pressure of agitation forced them to do so.

Your Lordships will of course understand I am speaking of the body as a class—I am not meaning to say that there were no exceptions to that class.

May I, before I read these reports, put one view to your Lordships in relation to this question. There are three interests which directly depend upon, and are concerned in the cultivation of the land. There is the labourer who works on it for his daily wage. There is the farmer who cultivates it, and who employs the labour on it—in Ireland those two are commonly the same—and there is the landlord who gets his rent for the occupation of the land by the tenant. If one of those three classes must come to the wall, which is the last that should come to the wall? My Lords, I say the labourer, for he is dependent on his daily wage to put food into his own mouth, and into the mouths of his children. He must have his daily wage for his daily work. It may be a reduced wage but he must have his wage. Who comes next in order? The man who tills the land. The man whose labour and expenditure upon it in the shape of labour is necessary to its production. He is only one degree removed from the daily labourer, and in the case of Ireland and in the case of the greater portion of the small farming classes he is in fact by himself and his children, the labourer on the land who ordinarily in other conditions would be the daily wage receivers of the land. My Lords, at the bottom of this whole question in the ordinary just conception of Englishmen, of Irishmen, aye and of men all over the world, there is (I care not about the so-called sanctity of contract) there is at the bottom of it this—the rent which is truly the economic rent, which is the true definition of the economic rent, is a fair proportion of the surplus proceeds from a given farm after the daily wage of the daily labourer has been paid, and after there has been at least decent sustenance for the man, who by his own hand, and the hands of his children tills the land, and by his labour gives it that tillage.

My Lords, that has not been the view taken or acted upon by Irish landlords or the view of late years taken by the Irish tenants. The result has been that the Irish tenant has been, broadly speaking (I am now of course merely speaking of the smaller class of farmers who most need protection), reduced in his surroundings of house, of clothing, of food, to a sordid condition, to a condition described, and truly described—and I shall cite the recent authority upon this point of Wate—truly described as amongst the worst clad, worst fed, and worst housed population on the face of the civilised globe.

Now, my Lords, there is in Ireland what is called the Local Government Board,—an official, governmental, non-representative board, and I would like to call your Lordship's attention to the reports of that body. First of all, the annual report from the central authority in Dublin, dated the 17th April, 1880, and therefore conversant with the state of things in 1879. My friend, Mr. Asquith, reminds me it may be convenient if your Lordships will identify it as the eighth report under the Local Government Board (Ireland) Act, 33 & 36 of the Queen. I may, in passing, show figures as to the relief in workhouses being greater in 1879–80 than it had been in 1878–9. Greater in 1877–78 than it had been in 1876–7, showing an increase in those three years 1877, 1878, and 1879. The same as regards the average daily number; as regards out-door relief the same. The number relieved greater in 1877–78 than in the previous year. The number in 1878–79 greater than the previous year. The number in 1879–80 greater than in the previous year. “In our report for 1878 we were called upon to report a
“ change in other directions, the average daily number of inmates being 1,441 more
“ than in the preceding year, attributable, as we then observed, to the indifferent harvest
“ of 1877, and to the inclemency and wetness of the subsequent season. In our report
“ for 1879, the average daily number showed an increase of 3,318 over that of the
“ preceding year, and in this report the average daily number of inmates shows
“ a figure of 3,952 over that of last year. The out-door relief average for the
“ year 1879 was 2,727; the average for the present year is 3,355 over that of
“ last year. The following is a comparative statement of the relief offered,
“ indoor and out-door; February 1880, 59,000; 1879, 53,000 out-door in 1880,

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“ 57,000 ; in 1879, 42,000 ; total, 117,454 ; in 1880, 96,162, or an increase of 21,000 odd in the latter year. This increase in the numbers relieved does not, however, indicate the full extent of the distress which has prevailed throughout the greater part of Ireland during the past winter. The poor in many districts have been supported and provided with clothing and bedding from funds supplied by the Committee of the Duchess of Marlborough’s Relief Fund, by the Mansion House Committee, and other charitable sources. During the month of August last unfavourable reports reached us as to the state of the potato crop and the supply of turf throughout Ireland, and with the view of obtaining information on the subject we directed our inspectors to report to us on the state of the potato crop, the general harvest, the sufficiency of the supply of turf saved by the peasantry for their wants during the winter and spring, and on the condition and prospects of the poor in their respective districts. From this report, which will be found in the appendix, it appeared that the potato crop was almost everywhere deficient in quality, inferior in quality, and affected by blight, and that upon the whole there was not more than half an average crop.” Your Lordships will find that this was a considerable over-estimate. “ That the general harvest was inferior, and that the crops, with the exception of the oat crop, which was good and plentiful, were generally deficient and below those in the previous year. The supply of turf everywhere was found to be insufficient, and much suffering was anticipated from want of fuel.” Your Lordships may perhaps not realise what that means.

It does not mean scarcity of turf, but it means that there was such inclemency from the wet season that it was impossible to dry it—a want which is peculiarly felt in the extreme west of Ireland. “ In regard to the prospects of the poorer classes there was every reason to apprehend that there would be great distress in certain districts and an increasing demand for relief owing to the partial failure of the potato crop, and the scarcity of employment, but farmers were reported to be unable to pay for labour in consequence of their straitened circumstances occasioned by the low prices obtained for cattle, and by the stoppage of their credit, and many of them were found to be already deeply in debt to money-lenders and shopkeepers.” Then they proceed to a number of considerations which I do not think I need trouble your Lordships with at this moment. But they proceed to deal with the parts of the country as to which they apprehend the most grievous distress, and I would draw your Lordships’ attention to it—it is not necessary I should do it—if your Lordships will notice the position of the counties which are specially named therein at page 11. “ We were thus always conversant of the extent of the poverty and of the condition of the inhabitants in the distressed districts as well as of the action of the boards of guardians in discharge of their important functions. These special reports contain so much interesting information as to the state of the country that we should have been glad to publish them all in the appendix, but finding them too voluminous, we have selected one report relating to each union in the counties of Clare, Donegal, Galway, Kerry, Mayo, and part of West Cork, which may be considered to comprise the poorest parts of Ireland, as well as a report of the islands on the west coast of Galway and Mayo, and we annex extracts therefrom representing the condition of the poor in those localities at the commencement of this year, omitting such portions of the reports as had reference merely to matters affecting local administration. Early in February the mode of administering relief met with further consideration from Her Majesty’s Government, and a Bill was prepared empowering our board to issue orders in certain cases, authorising boards of guardians to administer relief in food or fuel for a limited time.” I do not think I need trouble your Lordships with that. I have to refer to the Relief of Distress Act in a moment or two. It then goes on to refer to the Relief of Distress Act, which I intend to refer to in another connexion. Then later they say : “ That there has been much suffering and exceptional distress in many parts of Ireland is an unquestionable fact, but we are glad to be able to state that privation did not reach starvation in any union, and having caused careful inquiry to be made by our inspectors into every case in which it was alleged that death had been occasioned by want”—I call your Lordships’ attention to this observation—“ we usually found that it had resulted from other causes which were clearly ascertained.”

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Then they proceed to give statistics, also under the head of emigration, showing an increase in 1879 over 1878; showing an increase in 1880 over 1879; and as regards admissions to the workhouse during the last year (that would be 1879), ending the 29th of September, we find the total number given, 304,069 in the year 1879, as against 248,102 in 1878, and as against 198,831 in 1877, and as against 182,749 in 1876. The same as regards out-door relief. The same as regards night-lodgers or casuals. In that report I do not think there is anything else which I need call attention to.

Now, as to the reports which are referred to there, I do not know whether the way in which these gentlemen report it will affect your Lordships' mind as it affects mine, mine. One is the report of a Mr. Roughan. That is co. Galway: "A great diversity of opinion," says he, "exists as to the extent to which distress prevails, some maintaining that it is very severe, and that if people in various localities had not been relieved from charitable funds, they should have either come into the workhouse or have perished from want. Distress exists to a large extent in the Ballinasloe and Creagh dispensary districts, but it is being mitigated to a great extent by public charity, and by works which are in operation on Lord Clancarty's property." Your Lordship has heard of no crime or outrage on that property. Then he mentions certain other persons who are in other districts giving labour. I mention their names merely to remind your Lordship again; the name of Lord Ashtown, the name of the Rev. Sir William Mahon, are not cases in which any outrages are alleged to have taken place upon and in relation to their property.

Mr. Robinson reports in relation to Galway, and in relation to a part of Galway where there was a witness who has been more than once referred to, of the name of Robinson; there was an opprobrious epithet attached to his name, but he was the subject of some outrage. He was called "Vermin" Robinson, from the fact that he had spoken of the small tenant class as being vermin that ought to be got out of the way. He was described by that name. "Among the many circumstances which have combined to impoverish this union, a very important item is the cessation of the 'kelp' trade along the sea coast. For many years past the preparation of this weed, largely used in the manufacture of iodine, has been the source of employment to a large class."

Then they proceed to show how that industry had gone. Then: "The potato crop is below the average, and, as in every other union, there has been a great depreciation in the value of stock, but it is to the large graziers that this has been most disastrous, and not the very poor peasantry, who are mainly dependent on their supply of potatoes and their exertions at the English harvest." In that connexion may I mention that the same Dr. Neilson Hancock, pointing out the effect upon the demand for Irish labour of the agricultural depression in England, states to the Statistical Society (I will give your Lordships the reference in a moment) that the loss to the labourers or small peasants of Connaught alone, from the lessened demand for labour in England, was in that year, 1879, calculated at not less than 250,000*l*. That is the people of Connaught only, not of other districts. "It is among this latter class that destitution is most likely to be felt"—that is to say, amongst the class who mainly depended upon the work of the English harvests—"but that actual distress at present exists is not the case, and I may mention that Clifden has recently been visited by representatives of English newspapers, who, being wholly unacquainted with the normal condition of the people, were astonished at the state of their dwellings and general surroundings. Hence all sorts of rumours are rife, on which too much reliance must not be placed, but to-day's fair afforded me an ample opportunity of observing that the peasantry were warmly clad and evinced no signs of hunger or want. The coming spring, however, it must be admitted, will see a large section of the people in very straitened circumstances, arising from the causes before referred to, and aggravated by their heavy liabilities with the tradespeople, and the attitude they have elected to adopt towards the landlords. On their liabilities I need not enlarge; the same state of things exists, to which I have alluded in the other unions; but with reference to the position they hold towards their landlords, I regret to say that the union is the theatre of almost daily acts of violence." That is Clifden. "No rent has been paid, though it is well known that a proportion of the tenantry would be willing to pay if they dared, and it is questionable whether this class will be able to retain the money in their possession until they find that payment is enforced, the temptation to spend it being

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“ great. Several of the landlords appear to have been anxious to meet the emergency in a fair spirit, and much employment has been given; but, notwithstanding this, they are subjected to every kind of intimidation, and to overt acts of defiance, and thus the country is the scene of much dissension; the landlords, finding their authority repudiated, appear determined to adopt, if necessary, rigorous measures, and some of the agents, I am informed, are instructed to issue ejectments forthwith, while, on the other hand, the peasantry show every inclination to resent the enforcement of the law to the utmost.”

Then Dr. Roughan, speaking of Galway, says: “ I have also during the last ten days made personal and other inquiries in different parts of the union, and have no doubt that the general condition of the poor, especially the cottiers, labourers, and artisans, is in a very much worse state than it has been since 1850. . . . The labouring classes are now entirely without employment, and the small householders and room keepers living in the town of Galway, and the various small villages in the union, are suffering intensely from the want of fuel; it is difficult to understand how they are able to bear up against it. The country people have many resources that are not within the reach of those living in towns, and I observe no likelihood of any organization being made by charitable persons for forming a coal or fuel fund. The want is so extensive that it is felt that private charities could not cope with it. The prices of provisions fortunately are not high, fair good potatoes can be bought at four shillings per cwt.” and so on.

He reports also from the Glenamaddy Union. He says: “ Although severe distress exists in different portions of the union, yet nothing like general want exists. I have been informed that there is a large amount of potatoes in the union, carefully stored up for sale.”

Then from Gort Union he reports: “ I regret to say that much distress is felt by the families of able-bodied labourers, and of small farmers holding indifferent land, from a rood up to five or six acres, and rented at from 3*l.* to 8*l.* per holding. Up to this time they have potatoes, and as well as I can ascertain the supply will not be exhausted before March.” He is writing at the end of January; so they have a month’s supply.

Then he writes of the Mount Bellew Union, also in Galway. “ No doubt distress, consequent on a partial loss of the potato crop and the stoppage of credit, does exist in many localities among the cottiers and labourers holding from one rood to two acres, but up to this time all have been relieved from various charitable sources.” I will tell your Lordship what they were.

Then from Ballinrobe, of which your Lordship has heard in the course of this inquiry, Mr. Robinson writes: “ The extreme poverty of the people in the several townlands of the parish of Rosmuck, which was the scene of my recent inquiries, was a lamentable illustration of how people can live with no visible means of subsistence, and this in the townland of Camuss, was mainly noticeable.” Then he refers to the loss from the kelp trade: “ A great part of the Rosmuck parish I am therefore convinced must henceforward, for some few months each year, be in actual want.”

Writing from Portumna Union, which is near the Clanricarde and Loughrea district, which your Lordships have heard about, Dr. Roughan says: “ As far as I can learn very little distress exists in this union beyond that usually existing at this time of the year”—(he treats it as a normal condition of things)—“ except among the labourers resident in towns and villages without employment, and some small farmers living on patches of land in the mountainy districts. There are, of course, very many small farmers who hold a few acres of bad land, in an embarrassed condition; their supply of potatoes will be soon exhausted, and, if they are to be believed, they have, they say, neither money to buy nor credit on which they could obtain either meal or flour.”

Then he refers to some works at Meelick on the Shannon, as to which some employment was given.

Then from Tuam he writes, speaking of a sum of money which had been received for distribution by local committees: “ The general opinion seemed to be that much distress existed among the families of small farmers, cottier tenants, and able-bodied labourers, but it was admitted, without contradiction, that up to this time no

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“ dire want was felt, beyond that experienced in former years—(he is speaking of the
 “ normal condition of things)—except in individual cases, and among the labouring
 “ classes residing in the small towns and villages in the union. There is still a large
 “ quantity of potatoes in the county, and plenty of turf, and if the peasantry were not
 “ in debt from past years, and had not lost their credit with banks and shopkeepers,
 “ they would be able to tide over their approaching difficulties.”

Then from Kerry, in the Cahirciveen Union, including Killarney, Mr. Power, who is the reporter in this case, says: “ From what I could gather from collectors, relieving
 “ offices, guardians, &c., and also from personal observation, I should think there is a
 “ considerable amount of distress in this union. The workhouse, however, does not
 “ show any large increase in numbers.”

I need not mention, I think, what is well known probably to your Lordships, the great and marked disinclination which the Irish poor have to going into the workhouse, and the operation of the law known as the Gregory Act, by which they cannot get relief or admission to the workhouse if they hold more than a quarter of an acre of land without surrendering it. He speaks then of the relief from the Duchess of Marlborough Fund. He says: “ No applicants appeared at the meeting of the board which was held
 “ in the court house, but a large number of applicants for relief on meal tickets provided
 “ by the Duchess of Marlborough’s Fund besieged the court house. Their appearance,
 “ I may state, as a rule, was extremely miserable, and the eagerness to obtain relief
 “ was very marked. Some of the women, I ascertained, had walked 13 miles to obtain
 “ relief for their families, though I should say the principal part belonged to the town.
 “ I was told that considerable distress existed at Portmagee and Valentia
 “ Island, and other sea-coast districts about Cahirciveen at present. . . . Glenbeigh
 “ dispensary district is also in a distressed condition” (that is one of the scenes of a number of evictions which attracted a good deal of notice, being one of the poorest parts of the union), “ though nowhere, as I can gather, is actual starvation to be
 “ apprehended.” Then Dingle, the reporter Mr. Bourke says a turf famine is apprehended. This is a different union. This is the Dingle union. He goes on to say: “ In portions of the eastern part of the union, the want of fuel and the very great
 “ difficulty of procuring it is as great as in the district of Dunquin. I pass now to the
 “ question of potatoes. The time is fast approaching when the poor will have
 “ consumed all that the late wretched harvest vouchsafed them in this particular.
 “ Tales of the people re-digging their tillage in order to find any potatoes left behind
 “ in the first instance come from reliable and authentic sources, and if the relieving
 “ officers speak the truth there will be, when the seed time comes on, such a want of
 “ seed potatoes as it is as difficult to know how to meet as it is alarming in its
 “ earnest of future privation and distress.” In other words, that they would have to eat their seed potatoes. “ If it has been my duty to report a want of employment, a poverty
 “ in the supply of fuel, and a great and growing distress amongst the people in my
 “ district, I feel that, grave as the consideration of these matters may be, they dwarf
 “ before the contemplation of the poor becoming unable to make that all important
 “ provision for the future, namely, in sowing that crop which is the staple of
 “ their existence. In the union of Dingle the tale comes that the people are eating
 “ their seed potatoes, and unless private charity comes to assist them in the spring,
 “ I feel that a possibility exists that the want of 1880 may become the famine of 1881.” He then says (and it is proper to read it): “ It is right to say that the resident gentry
 “ are for the most part fully alive to the gravity of the situation, and are taking some
 “ steps to import some of the Scotch champions into the country.”

From Killarney another gentleman, Mr. Power in this instance (that was Mr. Algernon Bourke), takes a more hopeful view. He says: “ From what I hear I do not apprehend
 “ that at present serious distress exists in this union, and the opinion seems to be that
 “ with a little assistance the people will be able to get through the present bad times.”

Then Listowel Union, which has also come into this inquiry. “ It will be gathered
 “ that the numbers applying for relief at this time at Listowel ” (writes Mr. Bourke)
 “ are not excessive. But, as in all unions where no out-door relief is given, the real
 “ condition of the poor is not fully revealed until their very last potato is exhausted, and
 “ their very last sod of turf consumed; and, as in the great majority of poor families
 “ in this union, have not yet, and will not till the end of the month, reach this point,
 “ I fear that the prospect in the future is not so bright as might be wished, and it may

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“ yet become my duty to report that the union of Listowel is in an exceptionally destitute condition.”

He winds up thus: “ Gentlemen, you are aware that the potato crop of this district was very small and very bad last year; so bad that many small farmers and quarter of acre labourers will not have potatoes in any way fit to put into the ground next spring, and I have thought it right to warn the Local Government Board that, if another wet season is before us, the condition of the people in these parts will next year pass from the realms of want into the throes of famine and starvation.”

Again, my Lords, this is from Mr. Bourke as to the Tralee Union, dealing with a district your Lordships have heard of before: Castleisland. “ In one matter, however, the relieving officers concur, namely, that there is a general want of fuel all through the Union, and I have found in driving through the districts round Tralee that many of the cottages have not stacks of turf at all, and even those who have some turf have not nearly sufficient for their requirements during the winter. The district of Castleisland is the worst off in this respect, and they want also for potatoes and employment by which to gain a livelihood. In Ardford and its environs the potatoes were not by any means a bad crop this year, the people there having special facilities of manuring their land by means of the seaweed which they collect In the town of Tralee itself, I think a considerable amount of distress will appear for the people have to look entirely to their earnings for their support There is no outdoor relief, or hardly any, given in this Union; and I must say I think this is carrying the matter a little too far, for there must constantly arise in a population of 50,000, cases in which a little relief would enable a family the head of which is for the time incapacitated from work to tide over their distress.”

Now I go to the county of Mayo. I, of course, am selecting only those to which your Lordship will understand attention has been drawn. I might amplify this. “ Ballina Union. As I anticipated in my previous report” (that apparently is not given), “ little or no change is up to the present perceptible in the condition of the peasantry, and, except among the labouring classes, who are without employment and have neither stock nor potatoes to fall back upon, I see few signs of actual want or suffering, nor do I think that as yet the necessity has arisen among the small tenant-farmers to have recourse to further applications for credit from the trades people.” This is Mr. Robinson, who takes apparently a more hopeful view, and who is the only one, I think, who does suggest the League agitation in the matter. “ Hearing that several remote districts beyond Crossmolina had been chronicled in the local newspapers as the seats of much hardship and privation, and as it was reported to me that many of the people residing there were consuming their seed potatoes, I visited the locality on Saturday and Sunday, and found that there was no foundation whatever for the rumours which had gained credence concerning them. But it is a generally accredited fact, that the poorer class of farmers reverence to such a signal degree, and place such an implicit reliance upon any statements that appear in print, that when they find their condition described as being worthy of so much commiseration, they allow themselves to believe that their situation is as hopeless as it has been depicted, and I think to this fact may be ascribed the difficulty there is in acquiring from the peasantry any information regarding themselves which may be accepted as really reliable. But actual distress or suffering the physical appearance of the people would at once betray, and thus it is no very difficult matter on visiting them to ascertain at a cursory glance the way they are circumstanced.”

This gentleman had not supposed that there was no real distress and privation. Mr. Leonard described to your Lordships the state of things when, in answer to a question from me he said, “ Yes, they suffered; many of them were blue from hunger.” Mr. Robinson does not seem to be particularly sympathetic. I wish to read this, my Lords, in order that you may see what is the fair and general result. Speaking of the Ballinrobe Union, he says, “ The cattle command a reduced price; the potato crop is below the average; the receipts from the English harvest were disappointing; and the implied want of fuel is really applicable only to the mountainous districts; credit has been given as freely and debts contracted with the same readiness, and the same obliviousness to the future here, as elsewhere; and all the circumstances must before

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“ many months have elapsed, combine to effect a considerable amount of distress. There is a wide difference, however, between distress and famine, and while a pressure for relief from the poorest classes may without much foresight be prognosticated, it will not be so general this year, or so alarming as the visions which are being conjured up by local agitators would lead one to believe. I cannot but think that the most serious want will be the lack of means for laying down the crops. At present the landlords do not appear to be enforcing full rent except where the ability to pay is undoubted; and, as in several instances the people have wholly repudiated as yet any claim upon them for this, they are many of them possessed of money; but as credit is almost a thing of the past I apprehend that this ready-money will be in a great measure exhausted when the time approaches for the purchase of the necessary materials for sowing the seed. And should these apprehensions be verified, an amount of suffering must next winter be anticipated, for the people will not have extricated themselves from their pecuniary embarrassment, and where this year the crops were bad, next year in the large proportion of cases there will be no crop at all.”

Then in the Bellmullett Union he calls attention to a special difficulty—to a disease among the pigs which was prevailing.

Then the same gentleman, writing of the Castlebar Union, says:—“ With the exception of Ballinrobe ”—which your Lordships have also heard of—“ the tenant-farmers in this union are better circumstanced than those in any other of the Mayo unions I visited. But it must not be inferred from this that, although they are better circumstanced, that they are not as heavily involved in financial difficulties as their poorer neighbours; for a farm of four or five acres never can support a large family if, like at the present time, all extraneous resources have failed and credit is withdrawn.” This is the gentleman whom I have called the unsympathetic inspector. Nor is it right to ascribe one of the causes of the present insolvency of the small tenant-farmers to their extravagance in dress. The poverty of the clothing and surroundings of the Irish peasant is proverbial as being far below the standard of the peasants in any other part of the United Kingdom. And if in the process of time they make an effort to rise out of their normal state of rags and squalor, it should rather be accepted as an index of the advancement of civilisation than as an illustration of unfortunate improvidence.” Then, a little later, having made an exception to Ballinrobe as being very badly off, but the rest not being so bad, he then winds up thus:—“ The people in most instances have enough potatoes to last them for some weeks.” This is dated January, 1880.

In reference to the Killala Union, writing from Ballina, which your Lordships have also heard of, he says—“ I need not recapitulate the various circumstances that have tended to impoverish the people, as I have fully enlarged on them in regard to other unions, but there can be no doubt there will be a great deal of poverty between February and the end of July, as the credit upon which the poorer classes were wont to rely during these months is in a great measure withdrawn, and the harbour does not afford the shelter that will be required for the class of boat that could pursue a fishing avocation with security; added to which there appears to be little or no demand for labour. A succession of exceptionally good years would go far towards reinstating the small tenant farmers in the position they once held, and it is more than probable that the warning the tradesmen have experienced will have the effect of checking the wholesale system of credit that has proved so pernicious to the country; but the prospects of a rich harvest are not very encouraging, as there will be great difficulty in procuring the means of laying down the crop.”

Then in another from Westport, from the same gentleman, there is a report to the same effect; and a Mr. Armstrong from the Swinford Union reports a large increase in the distress during the last month. From the Westport Union a like report. From Kenmare more poor reports—“ From the information I can get I should say that there is a good deal of distress amongst the small farmers.” This is put erroneously under the head of Cork, but I ought to know Kenmare is in Kerry. “ There is a good deal of distress among the small farmers who are unable to obtain outdoor relief.” That is for the reason I mentioned “ There is no employment in this district for the labouring classes, there being few landlords, one of whom I believe owns two-thirds of the Union, but none give employment. . . . As employment seems to be

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“ out of the question at present, I fear there may be distress amongst the small farmers during the next two or three months, but at present I do not gather that it is of a serious character.”

Skibbereen is the next. From the Skibbereen report there seems to be a good deal of distress at Drumleague, which is a place your Lordships have also heard of. From the Skull Union the same. “ Altogether there is no doubt that there is a good deal of distress in this district, but, as yet, it has not compelled the people to come into the house, and I think they will remain out as long as possible, especially when they can get a little help from charitable sources.”

Then, my Lords, there is an extraordinary report of the condition of things in the Oughterarde Union, Cliveden, Westport, and Newport; and of the group of Islands in Kilkerran Bay. The writer, who is the same Mr. Robinson, speaks of the existence of these people as a problem. “ For no one could venture to assert that the scattered patches of sponge bog around which some half-dozen cabins with their swarming families are gathered could ever be the means of affording them a livelihood.” But he says: “ Although their physical appearance gives sufficient indication that they are not in immediate want, there is no doubt that when the present resources are exhausted, their embarrassed position will preclude them from all further advances.”

Then, speaking of a portion of Cliveden, he describes the houses in one of the islands: “ The houses were bare and empty, and the clothing was scant and ragged. Many of the children, indeed, had nothing on whatever, except an old red pocket handkerchief or a patch of flannel pulled over their shoulders; and no better criterion of the genuineness of their want could there be, than the pale and emaciated appearance of some of the women.”

My Lords, I might pursue this subject, but you will see, I think, I am justified in asserting that that describes, speaking generally, a state of things pointing to great actual want in some districts, and tending to a condition of things on the very verge of actual starvation. And, as my friend is good enough to remind me, this official account accords with—perhaps is found stronger than the evidence of some of the witnesses who have been called on this point. I will refer your Lordships in this connexion to the evidence of Constable Irwin, which will be found at pages 441 and 442; of Mr. Ives, the London Correspondent of the “ New York Herald,” at page 579; of three small farmers, called Joyce, Hoarty, and Conen, at pages 639, 657, and 750; of Hughes, at page 676; of Mr. Leonard, the agent for the trustees, amongst others, of Lord Kenmare’s estate, at page 595; of Mr. Hussey, at page 1270 and 1279; of Mr. Cole, of the Royal Irish Constabulary, at page 1573. These are some. I can give your Lordships, with the assistance of my friends, no doubt, a great many others.

There is a report also, which is the ninth report of the Local Government Board, published in 1881, and which, therefore, deals with the state of things in 1880—I therefore dislocate them a little in the order of time, but I mention it here. My Lords, the reports, as far as Cork is concerned—

(*Mr. Justice A. L. Smith.*) Is this April 1881? the other was April. I dare say it is, but can you tell me?

(*Sir C. Russell.*) I should think it was; but this is the appendix to the report. I am not able to say positively, but I think it is April. The general tenor of the local reports upon which it is based is this—it speaks of an improved condition of things owing to a good harvest which occurred in that year, 1880, and Mr. Burke, who was one of the reporters, probably gives the general view correctly. He says:—“ The condition of all classes of the poor have been largely ameliorated by the success of the crop and the abundance of fuel; and that though the effects of the last few years of scarcity have not been removed, and the circumstances of the farming and labouring classes are still straitened, they are no longer alarmingly crippled, and stand in no need of exceptional assistance.” And I think I may say generally, without troubling your Lordships with reading the whole of the reports, that that is a fair indication of their general tenor and purport, and I therefore will not trouble you by reading them at greater length.

Now, my Lords, at this time another important inquiry was going on. Its history is remarkable. It is the inquiry at the head of which the late Duke of Richmond was placed, under the Royal Commission. It was not originally intended to embrace apparently any inquiry into the condition of Ireland at all. It was a commission

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appointed to inquire into agricultural depression, called the Royal Commission on Agriculture, and as it was originally framed there was not any person upon it supposed to represent what one may call the Irish branch of the question. On the commission were the Dukes of Richmond and Buccleuch, Lord Vernon, Sir William Stephenson, Colonel Kingscote, Mr. Henry Chaplin, Mr. Naper, Mr. Paterson, Mr. Bonamy Price, Mr. Ritchie, the present President of the Local Government Board, Mr. Rodwell, Mr. Stratton, and Mr. Wilson. But, my Lords, so great was the attention drawn to the state of things in Ireland, that a kind of supplemental commission was appointed to form part of the original commission, and to impress within its inquiry the state of things in Ireland. And to the commission, therefore, were added Lord Carlingford, Mr. Stansfeld, Mr. Mitchell Henry, Mr. Joseph Cowan, Mr. John Clay, and Mr. John Rice, and this newly-formed commission, or this commission as re-constituted, appointed Commissioners to inquire and to report to them, and those Commissioners were, in addition to inquiries directly conducted by themselves—Mr. Thomas Baldwin and Mr. C. Robinson, assistant Commissioners. And, my Lords, I would first call your attention to the preliminary report of the commission itself.

(*The President.*) What is the date?

(*Sir C. Russell.*) 14th January, 1881. I am reading it out of date, but it relates back to the period I am dealing with. The report says: "The evidence now presented is all that we have hitherto taken, but it does not complete our inquiries. Under ordinary circumstances we should therefore have deferred submitting the same to your Majesty, but the aspect of public affairs in Ireland has induced us to lay before your Majesty the whole of the evidence which we have collected, and at the same time to submit a statement of the conclusions to which we have arrived, upon that portion of the evidence which relates to that part of the United Kingdom." And then it points out the admitted and conspicuous difference between the relations of landlord and tenant as they existed in Ireland and in England and Scotland. It goes on: "It seems to be generally admitted the most conspicuous difference between the relations of landlord and tenant, as they exist in Ireland and England and Scotland, is the extent to which buildings are erected, and the improvements are made by the tenant, and not by the landlord." Then later in the report they go on to say: "In common with the rest of the United Kingdom the agricultural depression of the years 1877, 1878, and 1879 has greatly affected Ireland, and has been to some extent increased in that country by the absence of manufacturing industries and other sources of employment. There is no doubt that the depression has fallen with extreme severity upon the small farmers. We have, therefore, reason to fear that a very large proportion of these farmers are insolvent, and it is stated that the bountiful harvest of this year has alone prevented their entire collapse." The difference, therefore, becomes important—it is written in 1881. Here is the statement of gentlemen of high honour and position, but certainly not representative of the tenant class, nor members of the Land League in Ireland, and this is their emphatic judgment: "We have, therefore, reason to fear that a very large proportion of those farms are insolvent." They are speaking in 1881, "and it is stated that the bountiful harvest of this year has alone prevented their entire collapse." That is the harvest of 1880. "With respect to the very small holders in the western districts of Ireland, we are satisfied that with the slightest failure of their crops they would be unable to exist upon the produce of their farms, even if they paid no rent. Many of them plant their potatoes, cut their turf, go to Great Britain to earn money, return home to dig their roots and stack their fuel, pass the winter, often without occupation, in the most miserable hovels. Employment at a distance, always precarious, has largely failed them during the calamitous season. The causes of depression, seriously aggravated by unfavourable seasons, and especially by that of 1879, must be sought in the peculiar circumstances and conditions of the country, as well as in defects of the land laws, and they may be therefore stated as follows:—1. Inclemency of the seasons and consequent failure of the potato crops. 2. Foreign competition. 3. An undue inflation of credit, partly produced by the security afforded by the Land Act of 1870, and partly by a series of prosperous seasons. 4. Excessive competition for land; the excessive competition is owing mainly to the fact that apart from the land there are few, if any, other means of subsistence for the population, and it has led to serious abuses which have

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“ come before your Commissioners in the evidence they have taken, such as (a) unreasonable payment for tenant-right, (b) arbitrary increase of rents, (c) overcrowding in certain districts, (d) and minute subdivision of farms.”

Then, my Lords, come the old suggestions I have pointed out about the reason of the overcrowding of particular districts—I am not going again to refer to that. Then come the suggestions of emigration and migration—which of course your Lordships realise to mean the sending back to the now depopulated worthless land, thousands of acres and tens of thousands of acres, people from the congested districts. Emigration of course means emigration abroad. Then come suggestions as to further necessary protection for the tenants, and they make this reference to the Encumbered Estates Acts, to which I have already adverted. “ The difficulty of dealing with the subject appears to be increased by the change of ownership, which has taken place in a large portion of the soil of Ireland, under the provisions of the Encumbered Estates Act. The sales under this Act, which gave a Parliamentary title, were, it is alleged, made without regard, and therefore without any protection to the occupying tenant, the fee simple of whose farm frequently passed into the hands of a speculator, who too often sought to obtain an increase of profit from his investment by raising the tenant’s rent.” Then they proceed to consider the difficulties of dealing with the question, and for these, they make this suggestion: “ Great stress has been laid upon the want of security felt by an improving tenant, which, it is alleged, limits not only the number of persons employed in agriculture, but also the quantity of food produced for the benefit of the general community. Bearing in mind the system by which the improvements and equipments of a farm are very generally the work of the tenant, and the fact that a yearly tenant is at any time liable to have his rent raised in consequence of the increased value that has been given to his holding by the expenditure of his own capital and labour, the desire for legislative interference to protect him from an arbitrary increase of rent does not seem unnatural; and we are inclined to think that by the majority of landowners legislation properly framed to accomplish this end would not be objected to.”

My Lords, the report of the Commissioners, whose names I gave your Lordships as being added on the Irish Question when it permanently came up, is even stronger. I do not know whether it would be convenient to hand this in without troubling your Lordships with reading the whole of it. Probably it would. I think I can state generally its effect. Among the causes of the agricultural distress they name is the extreme smallness of many of the agricultural holdings; the overcrowding of population in districts of poor land; the general feebleness of the industry and backwardness of agriculture, by a sense of insecurity which, notwithstanding the Act of 1870, still prevails, tends to paralyse energy, to hinder improvement, and to produce too often feelings of dangerous discontent. “ This sense of insecurity appears to be produced to some extent by the fear of capricious eviction, which has only been partially checked by the Land Act of 1870, and more generally by the fear of an increase of rent, demanded, of course, as the condition of remaining in the holding.” Then they go on to say: “ We find in many, and especially in large estates, the rents are moderate and seldom raised, and the improvement of the tenants are respected; but we are satisfied that a large proportion of the occupiers of land are very differently situated, living in fear of an increased demand of rent upon any signs of increased ability to pay, and sometimes subjected to rents which do not admit of hopeful industry, and make contentment impossible. This state of things is found in its worst form upon the poorer tillage lands, upon the smaller properties, and especially, though not exclusively, upon those which have come into the hands of new owners since the famines of 1846 and 1847, and down to the present time.” They refer also, in their report, to the use of the word “ exorbitant ” in the Act of 1870 as having, in its interpretation and in its application, failed of that purpose to which it was intended, and suggest the substitution of the word “ unreasonable.”

My Lords, still more important, in this connexion, is the report of the Assistant Commissioners of the condition of things which they themselves actually saw. I have already told your Lordships that that was the report of Mr. Baldwin and of Mr. Robertson. It is dated January, 1880, and therefore relates both to the state of things in 1878 and 1879. They commenced their inquiries in Kerry, and they appear to have gone over the greater part of the country. “ We had not proceeded far when we

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“ discovered that the agricultural classes of Ireland are passing through a depression
 “ of great intensity. As we proceeded through the remote districts of the west, it
 “ became evident to us that the widespread distress will soon prevail among the small
 “ farmers and cottiers. We saw with our own eyes that the supply of turf saved is
 “ unusually small, and that in many places the potato, which is still the mainstay of
 “ a large proportion of the people, was so light and blighted that it would run short
 “ about Christmas, and in some places sooner. The tales told us by the small farmers
 “ as to their indebtedness seemed so incredible that we took the trouble wherever we
 “ could to verify them by reference to the books of shopkeepers.” Then they proceed
 to give the result of that, and point to the stoppage of credit by the shopkeepers. “ In
 “ many cases we found that the real condition of the small farmers in the south and
 “ west is not known to their landlords, or to the land agents, or to the very bailiffs on
 “ the estates we have examined. Further inquiries have revealed to us that a large
 “ portion of the people in many parts of the country are in a critical state. In the
 “ south and west, and even in parts of the north”—they afterwards refer especially to
 Donegal, a seat, I am sorry to say, at this moment in great trouble—“ In the south
 “ and west, and even in parts of the north, a very large number of the small farmers,
 “ cottiers, and even labourers have lived during the summer—that is, after the potato
 “ had been used, on food obtained on credit. At the commencement of this credit
 “ system, it was customary to pay the debts thus contracted after harvest. In good
 “ years credit was freely given, not only for meal and flour, but for clothes and other
 “ articles. A succession of bad harvests has prevented them from paying up their
 “ accounts regularly. In this way debts have accumulated until many of the small
 “ farmers have come to owe to the shopkeepers and others, four, five, six, and even ten
 “ times the amount of their annual rent.”

My Lords, if these creditors of the small farmers had not shown more consideration than a large proportion of the landlords there would have been an absolute and total collapse in the greater part of Ireland. They then go on to say, dealing with one of the grievances, namely, their borrowing and having to pay extra usurious rates of interest: “ A series of bad years ending with the present disastrous year has
 “ brought down the inflated system of credit to which we have referred. Vast
 “ numbers of small farmers have found themselves unable to meet their engagements
 “ as usual. We do not mean to convey that small farmers as a class are in a bankrupt
 “ condition; but judging by what we have seen, amounting to about 15 per
 “ cent. of those under 8*l.* valuation, will utterly fail unless aided in some way
 or other.” Then they go on to say that many of the great landed proprietors have either made abatements of rent or deferred the time of payment, and they point out what is quite true that the condition of things was hard on the landlords who had heavy charges on their estates to meet; a very large number of labourers have been thrown out of employment, several large farmers have already employed many people in making estate roads and so forth. Then they go into the detail of some cases, especially on the western sea-board, with which your Lordships have to deal. “ We have already visited hundreds of these farms, and
 “ found the occupants of a large number of them in so deplorable a condition that we
 “ feel unable to describe it in a way which would enable his Grace to realise it fully.
 “ Over and over again we found the dwellings to contain only one apartment, in
 “ which were frequently housed cattle or pigs, and sometimes both. . . . While
 “ the agricultural depression has seriously affected every class in Ireland, it has told
 “ with terrific effect on the small farmers now under consideration, and, if possible,
 “ still more terrifically on a numerous class in Ireland who live partly by the culti-
 “ vation of small holdings, and partly by farm labour,” and so on. Then they go into further details; they refer to the Land Act of 1870. They refer to the report as to the working of that Land Act, and how it has failed to carry out its intentions. They refer to two monster meetings having been held at Ballyhaunis and Ballaghaderreen, both in co. Mayo. “ These places may be described as two ‘ head centres ’ of
 “ sub-division. In ordinary times a great many of the small farmers near these towns
 “ are scarcely above want; and after a few hard years they are on the verge of
 “ starvation and rebellion.” Then they consider the expansion of the “ Bright
 clauses,” with which I am not of course at this moment dealing. They describe their inquiries in cases where they found the state of agriculture low, and the

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reasons are given—the sense of insecurity. They are dealing with cases where efforts have been made to purchase their holdings under the Bright clauses by paying a price which commissioners proclaim to be an extravagant and unreal price, paid far beyond its proper value, and they put this question: “In this case there is a holding which, if properly farmed and managed, would enable the family to live comfortably. But they are weighed down to the ground by heavy instalments and usurious interest. We asked why they purchased, and the answer may be said to be stereotyped in the minds of the small farmers of Ireland: ‘Oh! sure, we were afraid of a bad landlord coming over us.’” Then they wind up in this way: “Finding so many of the small farmers of the south and west steeped in debt, misery, and poverty, while their lands are undrained and neglected, we asked why they did not adopt better systems of farming. Thousands upon thousands of them could easily double their incomes by the exercise of skill, we have travelled through entire districts without seeing any men at work in the digging of the ground before the winter’s frost, or in preparing the land as it ought to be prepared at this season for the coming crops. But the answer to our appeals on both matters was the same; it affords evidence of a conviction which is deeply engraved on the minds of this class, namely, that if they made improvements the rents would be immediately raised in consequence of those improvements. Now, whatever view be taken of this subject, the feeling remains all the same in the minds of these small farmers, and it is strongest in the most backward and most densely populated districts and on the estates of land-jobbers and in those of a few absentees and other landlords who do not take the necessary personal interest in the management of their properties. This feeling would appear to have crushed all spirit of progress and improvement out of the minds of these poor people. In the whole range of the heads of our inquiry this is the most delicate and difficult subject. It is as significant as it is suggestive that several large landed proprietors in different parts of the country have drawn our attention to the existence of this feeling, and made to us statements which, if true, would fully justify it.”

Then, my Lords, they proceed to give other instances, but one they give is so striking an instance of the increase of rent and given in such detail and after such careful inquiry that I think I ought to read it to your Lordships. It relates to the part of Donegal which, as I have said, is at this moment the seat of great disturbance. “On many of the great estates the tenants are permitted to dispose of their interest freely, subject to the purchasers being approved by the landlords. On certain estates for example, in Donegal, whenever a sale takes place the landlord increases the rent on the new tenant 25 per cent. On visiting a small farm on one of these estates in the south-west of the country, the tenant complained to us that he and others had been subjected to several increases of rent at short intervals. We give the facts as proved by the receipts he handed to us. In 1851 and 1852 the rent was 4*l.* 13*s.* In 1853 it was raised to 6*l.* 4*s.* The receipts for some years are missing, but in 1860 the rent was 6*l.* 10*s.* 6*d.* In 1861 it was raised to 7*l.* 15*s.* In 1862, 1863, and 1864 it was 9*l.* In 1865 it was 10*l.* 1*s.* 4*d.* In 1866 and 1867 it was 11*l.* 2*s.* 8*d.* In 1868 it was 11*l.* 17*s.* 11*d.*; and in 1869, 12*l.* 13*s.* 2*d.*” So that from 1852 a rent of 4*l.* 13*s.* was raised to 12*l.* 13*s.* 2*d.* “We saw the agent, who stated that in 1857 a valuator went over the estate with a view of re-adjusting the rents, and that this gentleman valued the holding at 12*l.* 13*s.* 2*d.*, and that the rent was raised by a series of increments, as shown in the receipts. This explanation was never given to the tenant. We devoted an entire day to an examination of this estate. The agent told us that he has been able to collect very little of this year’s rent, and he expressed his belief that the greater number of the tenants are wholly unable to pay it. The tenants on this estate whom we have visited are, like many of those in other localities, in a deplorable state. They are steeped in debt, and their credit is gone.”

My Lords, that is not the language of men described by the prosecutors in this case as interested, self-seeking, political agitators. This is the grave language of men officially employed for the public purpose gravely reporting what has come under their own observation.

I would like to supplement this by a statement also of an eye-witness, who can be called before your Lordships at a later stage of this inquiry, a gentleman well known

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in Dublin, who went to perform the humane part of examining with a view to reporting to one of the several relief committees which were formed, and which existed for the relief of distress in 1879 and 1880. It is the report of Mr. Fox to the Mansion House Committee on the condition of things in Mayo:

(*The President.*) What is the date of that ?

(*Sir C. Russell.*) In 1880, my Lord. "I have taken," says Mr. Fox, "the precaution of seeing with my own eyes many of the recipients of relief in their miserable hovels"—this is in Mayo—"which, so far as I have yet observed, are a shocking reproach to the civilisation of the 19th century. . . . I do not believe that tongue or pen, however eloquent, could truly depict the awful destitution of some of those hovels. The children are often nearly naked. Bedding there is none, everything of that kind having long since gone to the pawn office, as proved to me by numerous tickets placed in my hands for inspection in well nigh every hovel. A layer of old straw, covered by the dirty sacks which conveyed the seed potatoes and artificial manure in the spring, is the sole provision of thousands, with this exception, that little babies sleeping in wooden boxes are occasionally indulged with a bit of thin old flannel stitched on to the sacking. Men, women, and children sleep under a roof, and within walls dripping with wet, while the floor is saturated with damp not uncommonly oozing out of it in little pools. In one case I asked a gaunt, starved looking man, whom I found literally endeavouring to sleep away the hunger, where his little children slept, when he pointed to a corner in the moist room in which I could see no sign of bedding. 'Do they wear their clothes at night?' 'No.' 'How then do they keep warm?' 'There is,' he replied, with the most amazing simplicity and composure, 'a deal of warmth in children,' signifying that they obtained warmth by huddling together like little animals. This occurred at Carrycastle. . . . I invariably found them on the occasion of my visit crouching round the semblance of a fire lighted on the open hearth. And this at midsummer, showing how terribly low must be the vitality amongst them. . . . It was only when I was accompanied by a Catholic priest I could get an insight into the appalling want. Alone, some of the most destitute tried to screen from me the poverty of their truckle beds, upon which the straw was often so thin that I could touch the bare boards with my hands. These received me with a dull, passive surprise, wondering what might be the object of my curiosity in so wretched a country. And even the priest himself had occasionally to use no little persuasion to overcome this modest feeling, by assuring them that I was present in the capacity of a friend. Everywhere the condition of the children was otherwise dreadful, besides there being for them nothing but the Indian meal, badly cooked, to live upon, and the parents only too glad if the charitable funds provided the family with half enough even of that. Sometimes there was a miserable cow about the premises, for in every case I am referring to the class of small farmers, mostly residing on three to five acres of land, which in North Mayo is generally found to be reclaimed bog or mountain slope; and this cow was supplying milk, principally gratis, to a small number of children other than the owner's, to mix with the Indian meal. Occasionally people appealed privately to my companion on no account to cut off the charitable supplies from the possessor of the cow, seldom more than a few pounds, and just then unsaleable in any market, as the animal was the hope of so many little ones. At other times cooked cabbage, without a morsel of condiment save salt, was found where there was no meal, and in some instances one was found mixed with the other. But in numerous cases there was neither milk, meal, nor cabbage about the premises, and in those I gave some temporary relief to fill up the interval till the next general distribution of the local committee. Sometimes even charity itself had failed, and the mother of the tender young family was found absent, begging for the loan of some Indian meal from other recipients of charitable relief. The father being in almost every instance away in England, labouring to make out some provision for the coming winter. Yet in the most destitute cases hardly a word of complaint was uttered on the subject, it being a habit with, if not the nature of, the Mayo peasant, submissively to ascribe his lot in times of scarcity as well as plenty to the 'will of Providence.' We visited more than 30 hovels of the poor, principally in the townlands of Culmore and Cashel, in which I beheld scenes of wretchedness and misery wholly indescribable. In some of those hovels evicted families had lately taken

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“refuge, so that the overcrowding added to the other horrors of the situation. In one hovel in the townland of Cashel, we found a little child three years old—one of a family of six, apparently very ill, with no person more competent to watch it than an idiot sister of 18, while the mother was absent begging committee relief, the father being in England; in another an aged mother, also very ill, lying alone and unattended, with nothing to eat save long-cooked Indian meal, which she was unable to swallow; in another, in the townland of Culmore, there were four young children, one of whom was in a desperate condition for want of its natural food—without which it was no longer capable of eating the Indian-meal stirabout, or even retaining anything whatever in its stomach.”

I should like to add to this the account of one other person, and I take this account, and call this witness from the columns of the “Times.” It is the testimony of a man now lost to his country, a man held in high esteem and admiration for the generous impulses of humanity which moved him—I mean the late General Gordon. He visited this country, the district which we are speaking of, on the 3rd December, 1880.

(*The President.*) You read a letter of his, I do not know whether this is the same?

(*Sir C. Russell.*) No, my Lord. I referred to it, but did not read it. I read a portion of it, I think.

(*The President.*) You read a portion of it. I thought you read it all.

(*Sir C. Russell.*) What I think happened was that I put to a witness a question into which I embodied this letter. I should like, if your Lordships would allow me, to read it.

(*The President.*) Oh yes, I remember very distinctly the purport of it.

(*Sir C. Russell.*) “I have lately been over to the south-west of Ireland, in the hope of discovering how some settlement could be made of the Irish question, which, like a fretting cancer, eats away our vitals as a nation. I have come to the conclusion that, first, a gulf of antipathy exists between the landlords and tenants of the north-west and west, and the south-west of Ireland. It is a gulf which is not caused alone by the question of rent; there is a complete lack of sympathy between the two classes. It is useless to inquire how such a state of things has come to pass. I call your attention to the pamphlet, letters, and speeches of the landlord class, as a proof of how little sympathy or kindness there exists among them for the tenantry, and I am sure that the tenantry feel in the same way towards the landlords. Second. No half-measured acts which left the landlords with any say to the tenantry of those portions of Ireland will be of any use. They would be rendered as past Land Acts in Ireland have been, quite abortive; for the landlords will insert clauses to do away with their force. Any half measures will only place the Government face to face with the people of Ireland as the champions of the landlord interest.” He then, my Lords, suggests a scheme very much like the scheme which is supposed to be the policy of the present Government, and which was a policy first indicated by the Land League, as I shall presently show your Lordships. Then it goes on, “In conclusion I must say from all accounts, and my own observation, that the state of our fellow countrymen in the parts I have named is worse than that of any people in the world, let alone Europe. I believe that these people are made, as we are, that they are patient beyond belief, loyal, but at the same time broken spirited and desperate, living on the verge of starvation in places in which we would not keep our cattle.” . . . “I am not well off, but I would offer”—he does not mention the landlord’s name, but there is a blank—“or his agent 1,000*l.* if either of them would live one week in one of these poor devils places and feed as these people do. Our comic prints do an infinity of harm by their caricatures; firstly, the caricatures are not true, for the crime in Ireland is not greater than that in England; and secondly, they exasperate the people on both sides of the Channel, and they do no good. It is ill to laugh and scoff at a question which affects our existence.”

Adjourned for a short time.

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(*Sir C. Russell.*) My Lords, I had not at the moment the reference which I intended to make to a speech of Lord John Russell which I do not intend to use except for a definite purpose. It was in a debate after the report of the Devon Commission was fully before the House, and I am reading from Hansard under the date of the 15th June, 1846. After giving a good many instances in the evidence he summarises the result of the evidence thus. He says, "However ignorant many of us may be of the state of Ireland, we have here the best evidence that can be procured, the evidence of persons best acquainted with that country, of magistrates for many years, of farmers, of those who have been employed by the Crown, and all tell you that the possession of land is that which makes the difference between existing and starving amongst the peasantry, and that therefore ejections out of their holdings are the cause of violence and crime in Ireland." And he gives some figures and dates with which I have not troubled your Lordships, because, although I am afraid I have gone into a good many figures, I have avoided a great many I might have given. But he gives these figures which are rather remarkable. He is discussing the possible or probable effect of one of the many coercion bills which have been applied to the state of disturbance in Ireland. He mentions some remarkable figures. I will only trouble your Lordship with one sentence. He says "The number of homicides in 1832 before the introduction of what was called the Coercion Act, was 242; in 1837, 230; in 1840, 125; in 1842, 106; in 1845, 139." He gives also correspondingly large figures in regard to the crime of attacking houses with which I will not trouble your Lordships, I merely call attention to those with reference of the question of murder.

Now, my Lords, I have to call attention to some remarkable figures which have been glanced at, but not given in full before your Lordships as to the state of things in these years 1876, 1877, 1878, and 1879. First of all I give your Lordships the potato crop, and for these figures I refer in each case to the statistical returns compiled by the Registrar-General in Ireland, and published by his authority—Dr. Grimshaw. In 1876 the potato crop was 4,154,784 tons, valued in each case at the same price, amounting in 1876 to 12,464,382*l.* sterling. In 1877 the yield fell to 1,757,274 tons, equal to 5,271,822*l.* sterling. In 1878 the yield was 2,526,504 tons, equal in money to 7,579,512*l.* sterling. In 1879 it fell to 1,113,676 tons, equal in money to 3,341,028*l.* sterling. The year 1876 is admitted to have been a good year. Probably it would be just to say it represented a high average of good years, but comparing those figures, that is to say, the value of the potato crop in 1876, which was 12,464,382*l.*, deducting from that the value of the crop in 1879, which was 3,341,028*l.*, there is a loss on that comparison in that one crop, comparing those two years of no less a sum than 9,123,354*l.* sterling—a sum which represents, if I am rightly informed, more than three-quarters of the entire agricultural rents of Ireland. But the figures are still more striking if you take the general crops. Again, I am taking the figures from the same authority. In 1876 the general crops were worth 36,000,000*l.*; in 1877, 28,000,000*l.*; in 1878, 32,000,000*l.*; in 1879, 22,000,000*l.* So that again taking the yield in 1876 as the datum there is a loss in 1877 of 8,000,000*l.*; in 1878 of 4,000,000*l.*; in 1879 of 14,000,000*l.*; making the enormous total of 26,000,000*l.*, or more than double the entire agricultural rents.

I have already mentioned one fact which I also obtain from Dr. Grimshaw. Addressing the Statistical Society in Dublin, he refers to this year, 1879, and he points out what would be, of course, obvious to your Lordships, that the full force and effect of a disastrous year like 1879 is not felt in that year, but mainly in the succeeding year. Its effects may even last beyond that. He uses this language: "Now, let us look at the year 1879. First, let us examine the yield of the crops. Wheat was only 1100·4 per acre, a yield far below the average. The yield of oats also was very low; but when we come to the staple food of the country we find that the yield of potatoes in 1879 was the lowest on record, namely, 1·3 tons per acre. The death rate in 1880 was the highest on record, and the marriage rate the lowest on record. We learn from these examples that the prosperity of Ireland and the number of her people have hitherto been largely dependent upon one agricultural product. The other agricultural products, no doubt, are of national importance, but the potato, nevertheless, is the regulating factor. The production of cereals would bear a similar relation to the prosperity of England, but for the simple reason that other forms of industry are relatively of more

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“ vital importance to England than agriculture. This is the reason why the depression of
 “ agriculture has produced diminished population in Ireland, while in England as great a
 “ depression is still accompanied by increasing population. Urban industrial centres do
 “ not exist in Ireland in the same proportion, and, therefore, the total population of Ireland
 “ cannot be maintained by the compensating power of urban prosperity when rural
 “ employment becomes depressed.” He then proceeds to give some rather remarkable
 figures bearing upon the clearance question, which I have already adverted to. “ It
 “ appears that the acreage under cereal crops has fallen from 3,099,000 in 1851 to
 “ 2,625,000 in 1861, to 2,124,000 in 1871, and to 1,777,000 in 1881.” So that the
 extent to which the land has fallen out of arable cultivation between the years 1851 (it
 would be still more striking if one went back to a year or two earlier) and 1881 is the
 difference between 3,099,000 in 1851, and 1,777,000 in 1881. The total number of
 acres under meadow and clover he also gives. In 1851, 1,246,000 acres; in 1861,
 1,546,000; in 1871, 1,829,000, and in 1881 over 2,000,000. And he then proceeds to
 show that if the estimate of pasture land in 1841 was tolerably correct, you find that
 between the years 1841 and 1881 pasture lands have increased from 7,941,000 acres in
 1841 to 10,075,000 in 1881.

At a later stage I shall have to refer even to another commission, which again
 throws light back upon the period with which I am dealing; but I wish not to
 dislocate the dates more than is avoidable. I have already mentioned (and I now
 give the authority for it) that Dr. Neilson Hancock estimated in his statement before
 the Statistical Society in February, 1880, that the loss to Connaught alone from the
 lessened demand for harvest labour in England amounted to the labourers of
 that province alone to 250,000*l.* in that one year, 1879. My Lords, that story
 of the efforts made by these small holders of land to keep their holdings and
 pay their rents in a remarkable story of frugality and self-denial. These poor
 creatures, leaving their wives and children to come to this country and subsist, God
 knows how, manage to bring back, only as the fruits of the strictest frugality, the
 money which goes towards paying the landlord's rent, which certainly never was made
 out of the land.

Now, my Lords, what were the Government doing at this time? Was attention
 called to this? What was the action of the Government? I have to refer to one gentle-
 man for whom I have personally great respect in every regard except in his character
 (I must say so) of a statesman. In February, 1880, that gentleman, Mr. Lowther, was
 Secretary for Ireland. Mr. Shaw who was then a leading member of the Irish Parlia-
 mentary Party, addressed to him in the House of Commons a question as to whether
 the Government were going to do anything upon the question of Land Reform. It
 took a very mild form of interrogation; whether or not there might not be an exten-
 sion to the rest of Ireland of that security which tenant right gave in Ulster. The
 answer of the Minister of the Crown was, that he had before said, and he was then
 prepared to maintain, that to extend the Ulster custom to the rest of Ireland would be
 pure and undiluted tommy-rot, and when pressed as to the state of Ireland he said
 the land question had nothing to do with the state of Ireland; but was the work of
 other agencies, and nothing was at that time done; and Ireland had to appear again in
 the humiliating character in which she has had to appear before, as a mendicant before the
 world; for recollect, my Lords, the famines in Ireland differ, as I reminded your Lordships
 yesterday, from the famines of Egypt or the famines of India, because at this very
 time (of course it can be illustrated, and I can prove it if it be challenged), there was
 being exported from Ireland in cattle—aye, and in corn, more than would have
 sustained the population three-fold. And then was started (all credit to them for it).
 a number of charitable funds in Dublin; the Mansion House Fund, the fund which
 owes its name to the interest which the Duchess of Marlborough, the wife of the then
 Lord-Lieutenant, benevolently took in the matter; the fund collected through the agency
 of the “ New York Herald ”; the fund collected at the instance and by the influence
 principally of Mr. Parnell upon the occasion of his visit to America. I am not going to
 follow that part of the American story, because I intend to reserve that for separate and
 distinct treatment. I pass that by in the course of my narrative upon this point,
 because, as your Lordships are aware, I am dealing with the point now of whether the
 state of things in 1879 was not literally such, as I have said, that it called for, if not
 the strong intervention of the Government by exceptional measures, for a strong

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agitation and combination amongst the tenant class themselves, and if that were wanting the only alternative was sporadic, bloody warfare in various parts of the country.

My Lords, a little later (I am still throwing light back upon the state of things in 1879), there was a change in the Government; and the Government of 1880 had the matter forced upon their attention. Mr. Forster was then the Minister for Ireland who had succeeded Mr. Lowther. I cannot mention Mr. Forster's name without saying that I believe that no man ever went to Ireland with a sincerer resolve, humanely, justly, and thoroughly to discharge his public duty; but, unhappily, like every other man who has gone to Ireland on like missions, he finds a system which is too strong for him. He has not the control of the system; the system controls him. His position is one of absolute isolation from touch, contact, and sources of popular information. My Lords, the form which the action of the Government took was this. They brought in a Bill of an exceptional character, one which I thought and said at the time (for I took some part in its discussion) required very exceptional circumstances to defend, or to justify it. It was known, as your Lordships are probably aware, by the name of the Compensation for Disturbance Bill. Its function and objects were in respect of a certain class of the smaller tenancies, limited to a particular part of the country, the same part with which your Lordship is dealing—the distressed districts, scheduled as distressed districts, Galway, Mayo, Cork, Kerry, Clare—parts of these—there were some others in addition. The object was, upon the payment of a half of one year's rent, the staying of all eviction processes at the instance of the landlord, for a certain definite period. That proposition was originally made by one of the members of the Irish Parliamentary party, Mr. O'Connor Power, a member of the English Bar. He may be known to some of your Lordships. Mr. O'Connor Power is not ashamed, and would not be ashamed if it were necessary to tell your Lordships, that he was one of those hot-headed and impulsive young men who in 1865–1866 saw no hope from constitutional agitation and from Parliamentary effort, and who in those days joined the ranks of the fenian body, but who afterwards became in Parliament an important agent and ally in the discussion of questions directly and intimately affecting Ireland. Mr. Parnell moved the second reading of this Bill on the 25th June, 1880, and this Bill which I am now about to explain to your Lordships was founded upon a Bill prepared in the interests of peace in Ireland by the Land League, whose action is here denounced. It was their Bill taken up, after Mr. O'Connor Power has introduced it, by the Government, and introduced by Mr. O'Connor Power as one of the Land League. Mr. Forster, in moving, explains its principle; that there is a limitation of time, a limitation of area; that it is limited to the end of the next year, which would be 1881, and to the area of those districts which are scheduled as distressed; and then he proceeds to explain its provisions. I have the Bill here. Unhappily it never became law, as your Lordships will presently hear, "The proposal is limited," he says, "to the scheduled unions, generally speaking to the western half of Ireland; but there is, practically, another limitation—that is, it is limited to those unions outside Ulster and outside of the districts where Ulster tenant right exists."

Then he explains the reason why. He says that the tenant who has the benefit of the Ulster tenant right custom would of course be in a very much better position than anything this Act would give him. Then he proceeds to explain what the proposal was. It was this: "That if in the distressed districts and during this year of distress it shall appear to the county court judge, the official to whom these questions are referred, if it shall appear first that the tenant is unable to pay his rent; secondly, that he is unable to do so on account of the distress arising from the bad harvest of this and the two previous years; thirdly, that he is willing to continue in his tenancy on just and reasonable terms as to rent, arrears of rent and otherwise; and fourthly, if those terms are unreasonably refused by the landlord, then and then only can he obtain such compensation as the court may think just under the third section of the Land Act of 1870." I was wrong in saying one of the conditions was the payment of a definite proportion of rent. That was left to the determination of the judges. He then in justification of this proposal cites in reference to the distress the opinion of a gentleman who has taken a great and praiseworthy interest in this matter, I mean Mr. Tuke. Then Mr. Forster proceeds after he has gone through the story of

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the distress: "Now, you may say with these facts before you, why did you
 " not bring in this Bill at the beginning of the session. You knew the distress.
 " You knew the meaning of the Land Act. You knew the relative positions
 " of the Ulster tenant and the non-Ulster tenant. Well, we did not do so
 " because we hoped that we might put off legislation until we had all the
 " facts before us and knew how the Land Act was working, and then we might
 " bring it before the House and inquire how far it required amendment. Then it may
 " be said, if you did not bring it in then, why have you brought it in now. Well, for
 " this reason, that we find we could wait no longer. Facts are accumulating upon us.
 " Evictions have increased and are increasing. I have here the figures as to the
 " evictions the constabulary have had to conduct. They are not all that have been
 " effected, only those in which the aid of the constabulary has been required, and
 " I deduct from them all the cases where the evicted tenant has been re-admitted; this
 " list, moreover, has nothing to do with process serving. The average evictions for
 " the five years ending in 1877 was 503 for each year. In 1878 the number was 743;
 " in 1879 it was 1,908; and up to the 20th of June of the present year it was 1,073;"
 or in other words it had doubled in 1880. And referring to one case in Galway he
 says, "I take the case of the West Riding of Galway. Since the 1st of January in
 " this year, the number employed in protecting process-servers has been 107 officers of
 " constabulary and 3,300 men, and 16 officers and 626 men in carrying out actual
 " evictions." Then he proceeds and concludes his statement thus, "On our part we
 " are forced to declare" (speaking for the Government) "that the responsibility of not
 " permitting this temporary and, as we conceive, this necessary modification of the law
 " must rest upon Parliament and not upon us." My Lords, I do not refer to a part of
 that speech in which he makes an appeal to members of the Irish party to use their
 influence to keep down outrage. It is not in connexion with the subject which I am
 now upon. I refer to it merely to show that I have not passed it over. I shall recur
 to that subject again.

The House of Commons passed that Bill. It was an exceptional Bill, only to be
 justified by grave exceptional circumstances, and in point of fact by the interests of the
 peace of the community. It went to the House of Lords. Amongst its defenders
 there was a distinguished person not remarkable for an over abounding sympathy with
 the Irish tenant class; a man I have not the least doubt of thoroughly humane instincts;
 a man who has never been able to realise, and does not understand the complex character
 of the Irish question, I mean the Duke of Argyle. He defended this Bill in the House
 of Lords and I will call your Lordships' attention to some things which he said. The
 date was the 3rd of August, 1880. Amongst other things he says, "My noble friend
 " behind me (Earl Granville) in moving the second reading of this Bill said it was a
 " very delicate thing to mention such cases because we might be holding up individuals
 " to odium and possibly outrage." That was in reference to the statement of the
 renewed evictions and of the fact, as the Duke of Argyle puts it, that the Government
 had to consider a population of small tenants numbering 1,500,000 who were actually,
 these are his words, "at the mercy of the landlords of Ireland." Then he goes on to
 say, "The House will feel, therefore, that the Members of the Government speak under
 " great reserve of these matters; but I must say frankly that there have been some cases
 " in which individual landlords have shown a disposition to make wholesale evictions
 " for non-payment of rent, where that non-payment was clearly due to the failure of
 " crops. There was one case which became public in the newspapers, and which I
 " have, therefore, the less delicacy in mentioning. I do not know even the name of
 " the landlord, but I rather think he was a purchaser under the Encumbered Estates
 " Court. Before I mention this case in detail, I wish to make a single observation
 " with regard to a distinction sometimes drawn between landlords who have bought
 " their estates in the Encumbered Estates Court," and so on. I need not trouble your
 Lordships with that part of it. Then he mentions this instance. There is a place
 called Curraroe, in the county of Galway. That is one of the scenes of one of the
 crimes or more than one which your Lordships have had to inquire into. "On the
 " whole townland there were 89 tenants with families numbering in the whole 515
 " souls. They rent was 137l. 7s. 0d. or about 30s. each. They were of the smallest
 " class of occupiers. There were 1,334 acres in the towland, of which 110 were arable,
 " under crop. The whole stock of the farms consisted of only four horses, 110 cattle,

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“ 62 sheep, and 14 pigs. The total valuation of the stock and crop—everything—was
“ 1,423*l.* or about 2*l.* 15*s.* 0*d.* for every soul in the townland. One-twelfth of the
“ acreage was arable. [I think that was a case clearly in which the tenantry were so
“ reduced, as you may see from the valuation of their stock and crop, that it was
“ impossible they could pay their rent after the three years of the worst harvests
“ we have had for a long period. In this case notices of eviction were served, I rather
“ think, in the time of the late Government, but were enforced, or attempted to be
“ enforced, by, I believe, only 20 men. There was a general resistance to the service of
“ those ejectments; and since we came into office the Irish Government had to reinforce
“ the police in the place to the extent of 200 men. You had in that case at the mercy
“ of the landowner a whole population of upwards of 500 souls, who, under the existing
“ law, would have been evicted without one shilling of compensation, without one
“ shilling to carry them to America, because they were evicted for non-payment of
“ rent. What is the significance of these facts?” And then he proceeds to say what
was the duty of the ministry, and urges upon them to urge upon the House as a matter
concerning the Queen’s peace the necessity of passing that Bill.

My Lords, that Bill was rejected in the House of Lords by an enormous majority, I think I am right in saying that the attendance in the House of Lords upon the occasion of this Bill exceeded any attendance that is recorded in the journals of that House except upon the occasions of the great party divisions.

My Lords, a Relief of Distress Bill was passed in March in the session of 1880: What was the form it took? The form it took was advancing to Irish landlords 1,100,000*l.* of the surplus funds of the disestablished church in Ireland, to lend that money to Irish landlords without interest for two years, and at the end of two years at the rate of 2 per cent., and unless numbers of landlords are gravely maligned when they employed their tenants, and paid them wages out of this fund for working upon their own farms, those tenants were charged in some cases 4 and 5 and even more per cent., and that in perpetuity—the very money advanced by the State for the relief of the tenant class who got the relief filtered through the hands of the landlords in this indirect and very incomplete fashion.

My Lords, is it remarkable that those interested, the representatives of the Irish people, should in this conjuncture of things feel alarmed for the future. Is it remarkable that there should again be conjured up in the mind of the people the dread of the recurrence of those nameless scenes of horror, the memory of which hung like a dark cloud over the recollections and the lives of the people who had taken part in those scenes, and who had suffered in them? I am not able, I will not attempt to give a picture of those scenes. The nameless graves, members of one family thrust into unhallowed ground, the fearful want and agony of dying children before the eyes of parents, aye, and children, innocent infants, found struggling with their young life at the nipple of their mother, hours after life had left her. Is it possible, my Lords, for men who think of these things, who have their recollections revived by the dread of such things—is it right that their language is to be tested by the same rules that men will apply to those who are philosophically and calmly discussing some problem of economy or politics? My Lords, there have been in operation in Ireland many causes which have led to an altered tone amongst the Irish people. There had been the greater intercourse with England, there had been the still greater intercourse with America, and there is not the least doubt that intercourse and communication with their friends in America had somewhat raised, and God knows the standard had been low enough, the notion of the standard of living, of housing, of clothing, which the Irish people could possess. They were no longer (for they had altered in that regard to some extent, at least, in some parts of the country to a greater degree than others), willing to lie down, as they had laid down, in the ditches to die in 1846 and 1847 to a large extent, but were prompted to make the struggle which human nature will make when it is fighting for the very life.

Now, my Lords, what were the landlords doing? I have already given your Lordships some indication from references to the speeches of the Duke of Argyll and of Mr. Forster. I will now give your Lordships figures which have not yet been presented, but which tell a remarkable story. Your Lordships will, of course, understand that so far as actual evictions are concerned there is a mode in which with

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tolerable accuracy you can get at the actual figures, which mode is this: Under one of the Acts relating to ejectment, the intending ejecting landlord is bound to give notice to the relieving officer in the district, in order that when driven from their homes there may at least be the possibility of getting shelter in the workhouse. But the question of eviction forms, I will not say a small, but a comparatively small part of the disturbing causes which lead to crime. The apprehension of eviction, the process for rent, the service of the ejectment notice, all these just as much as the actual eviction cause ferment in the public mind in the locality where they exist and breed the elements of disturbance. There is no accurate mode — I mean accessible to the public — of ascertaining precisely the number of ejectment notices; but we have taken the best means that can be taken by applying to the clerks of the peace in the various districts which are in question here, and we have got returns from those clerks of the peace with few exceptions; and, so far as the figures I am about to mention to your Lordship can be questioned, they can be questioned only in this that they are understating and not overstating them. I take the four provinces, and I will then take the counties with which we are here specially concerned, and I would ask your Lordships to follow the average of the notices of ejectment for the whole period from 1853 to 1878, a period of 25 years, and, therefore, which will give a fair average, and compare that with the actual number in the one year of 1880. Taking the average from 1853 to 1878 in Ulster the yearly number was 1,489; in 1880 it was 2,846. In Connaught the average over the 25 years was 960; in 1880 it was 1,995. In Munster the average was 1,076; in 1880 it was 2,345. In Leinster the average was 912; in 1880 it was 1,363.

Now I take the particular districts which are here in question. In Galway the average was 236; in 1880 it was 543. In Mayo the average was 281; in 1880, 625. In Clare the average was 135; in 1880, 283. In Kerry (I ask your Lordships' special attention to Kerry) the average was 146; in 1880, 473. In the East Riding of Cork the average was 195; in 1880, 412. In the West Riding of Cork the average was 94; in 1880, 207.

My Lords, what then was the state of things? A period of intense distress proved, affecting specially and particularly particular districts. A recognition by the Government of the day that exceptional legislation was in the interests of the peace of the country required. That policy of the Government endorsed by the vote of the House of Commons, the representative House of the Legislature, in which the Irish vote forms less than one-fifth or one-sixth. Thrown out by the House of Lords, and steadily side by side with this nothing done to stay the evictor's hand. The landlords unequal to the occasion. I ask gravely, is it in human nature to expect the people, the leaders of the people, to fold their arms and do nothing? If such a thing had occurred in England, would there not have been thundered from every platform in the country the aphorism of Thomas Drummond, that property has its duties as well as its rights? And would there not be thundered that still stronger, but equally sound and true, aphorism of Poulet Scrope, a distinguished politician in this country, that property can have no rights, or ought to have no rights, inconsistent with the general welfare of the people? No, my Lords. The Irish leaders could not, the Irish people could not be expected to stand by with folded arms. It is true to say of Ireland in that crises:

“Famine is in thy cheeks,
Need and oppression starveth in thine eyes,
Upon thy back hangs ragged misery,
The world is not thy friend nor the world's law.”

My Lords, these defendants taught the Irish people the necessity for combining themselves together resolutely to fight for their lives in this extremity; and it was a fight for their lives. I am not going to suggest that there were not men who took part in this struggle who may not have been unworthy of sympathy. I am not going to suggest that in such a struggle as this there were not men who, under the cloak of a great movement, sought their own selfish benefit and advantage. I am not going to suggest that as incidental to this there has not been misfortune, disturbance, and crime. But I do suggest, I do affirm most broadly, that in its main character, in its essential objects, in its essential means, this was a movement and a combination which was not only justifiable before God and man, but necessary in the condition of things which existed.

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My Lords, if justification is needed for this movement, if anyone still remains who has followed this case with any lingering doubt in his mind that there was a great social evil to be grappled with in the interests, the commonest interests of humanity and of justice, if anyone asks what is the justification beyond these facts, I refer them to the Statute Book of the realm, and in the Statute Book of the realm since the year 1879 is traced clearly, indelibly, unmistakably, the justification for the position and the agitation of the Irish leaders and the Irish people. For, as surely as I have the honour this moment of addressing your Lordships, the measure and fullness of the Land Act of 1881, of the Arrears Act of 1882, of the Purchase Act of 1885, of the further Acts of 1886 and of 1887, mainly owe their existence upon the Statute Book of the realm to-day, constituting a new charter for the Irish tenant, to the actions of the men who at the instance of the "Times" are held up to public obloquy and public odium as criminals and accomplices in criminality before the law.

My Lords, I might even refer your Lordships to the statements of more than one distinguished legislator. A man who has held high office, who in the House of Commons declared that the action of the Land League had made it possible for the Governments of 1881 and 1882 to pass their remedial measures of those years. I refer to Mr. Chamberlain. I think there are others who have spoken in the same sense. And what did that mean? My Lords, it points to a grievous vice in our political system. It does not mean—I have never thought it; I have never said it—it did not mean that the honest men who have their attention called to the merest state of the case in Ireland and who form the representation of Scotland, England, and Wales are not honestly anxious according to their view of their duty to do their duty; but it means that there is a *vis inertiae* prevailing in the Legislature in relation to Irish questions, partly caused by the pressure of, as it is thought, more important concerns; partly from want of information; partly from prejudice, until it is literally true to say that go over the legislation of the last hundred years and trace the story of its remedial legislation and you will find that there is hardly one, if there be one, of the measures of that character which are to be found in the Statute Book that has come as a free-will offering of the Legislature and which has not come as the result of agitation, sometimes constitutional, sometimes unconstitutional, but always after pressure.

My Lords, that is the justification which, in general, I have to present to your Lordships for the existence of a League in 1879. I will now proceed to consider who formed the League, what was its means and objects, what was its work.

My Lords, there are several men whose names will come before your Lordships, and have come before your Lordships, in very considerable prominence, and who have been brought together in this Land League movement, drawn from different parts of Ireland, pursuing different occupations, belonging to different classes of society to meet upon one common platform—the platform of the Land League. And one question your Lordships will have to answer—it is the question that your Lordships will have to answer, as I humbly conceive—is what was the link that bound these men together; what was the motive that brought them together? Did they come together (for that is the case of the Attorney-General) criminals, with criminal intent and criminal design, under the sham of a pretended land movement to redress a pretended land grievance, or did they come together as men earnest for their country, anxious in its time of trouble to lift, at least, from its shoulders part of the oppressive burden which lay upon it? My Lords, upon your answer to that question must, in my humble submission to your Lordships, depend the issue of this Commission on this part of the case. For, let it not be forgotten, the case which the Attorney-General has been instructed to put forward is not the case of crime, accidental, incidental to the stirring up of the popular feeling of the community upon a question as to which they were deeply interested. The charge is—the case made is—that these men met together and of design aforethought carefully calculated and deliberately applied a system of murder and of outrage under cloak and pretence of a Land League movement being formed. Who are these men? I will mention some of them to you. Amongst them were Mr. Patrick Egan and Mr. Biggar. Mr. Biggar is a man in business in the town of Belfast, a man unquestionably of considerable ability, of considerable resolution; a man who professes himself, if one may judge from his parliamentary career, not to regard in the least the conventional standard of conduct of those amongst whom he

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moved, but to act with regard simply and solely to his parliamentary conduct, and his conduct out of doors, as to how he could best advance within the law the cause of the Irish people. Mr. Biggar was, like Mr. O'Connor Power, and like one or two others whom I have to mention to your Lordships, also when a young man, a member of the fenian body. So was Mr. Patrick Egan, who in his turn was a Dublin tradesman, a man widely respected, and still respected, and as to whom—as he is not here to defend himself, he has been made the subject of attack—and as to whom I hope to demonstrate to your Lordships upon the evidence as it stands, that whatever he may have been in his later career in America (of which I know nothing), that there is not a scintilla of evidence upon which any man of honest judgment can pronounce condemnation against Mr. Patrick Egan for anything he has done in Ireland or in England. Both Mr. Biggar and Mr. Patrick Egan, before Mr. Parnell came to a prominent position in politics, were members of the Home Rule Association known as Mr. Butt's. They joined that association in the hope that good might come of it, and after joining it—I do not know what the expression to use is—they were drummed out, or, at all events, ceased to be members of the secret society or fenian brotherhood. It may surprise your Lordships to know it—it certainly has to some extent surprised me to know it—but I had not lived in Ireland in those days—that a number of men of good character, of good education, who in despair of any good from constitutional means or open political movements, at one time were members of the fenian body. But so it was. These two whom I have mentioned formed part of the party which Mr. Butt led in the House of Commons, Mr. Biggar in Parliament, and Mr. Egan, and which Mr. Butt continued practically to lead up to the time of his death in, I think, 1878 or 1879.

Another whom I must mention, my Lords, is Mr. Thomas Sexton—although he took part at a later date in the movement—now Lord Mayor of Dublin—a man who was at that time the editor of a Dublin newspaper and for a long time earned his bread by his pen, and who has contributed to works, to newspapers, and to magazines. Mr. Sexton, my Lords, you will see before you. I think all three of these gentlemen were members of the Council of Mr. Butt's Home Rule Association, and that Home Rule movement, as you may understand it, began as far back as the month of May, 1870, and took its rise at a meeting held in Bilton Hotel, Sackville Street, at which the then Lord Mayor, the Right Hon. Edward Purden, Protestant and Conservative, Sir John Barrington, the High Sheriff, Sir William Wilde, James Martin, J.P., Mr. Isaac Butt, Q.C., Mr. Harris, Major Knox, J. F. Lombard, J.P., and a number of others whose names I need not stop to trouble your Lordships with—Colonel King-Harman, Captain Edward King-Harman, William Shaw, afterwards for a time leader of the Irish Parliamentary party, and a number of others. Dr. Gilbraith, of Trinity College, and Dr. George Shaw, of Trinity College, Dublin, were members, and as I am informed by my learned friend, the great majority of them—I do not wish to dwell upon that—were Protestant gentlemen and of considerable distinction. The subjects for the consideration of the meeting were “the general dissatisfaction which prevailed in the country owing to the evils of absenteeism, consequent loss of trade, and national poverty.” Another was “the consideration of the advantage of a Royal residence from a political and a financial point of view.” Another was a proposal to arrange for an aggregate meeting, and as the result of the discussion these two resolutions were unanimously passed: “That it is the opinion of this meeting that the true remedy for the evils of Ireland is the establishment of an Irish parliament, with full control over domestic affairs. That the following gentlemen be appointed a committee, with power to add to their number, to consider the best means of combining all classes of Irishmen in support of a well considered constitutional measure to attain the object of the foregoing resolution.” That was followed by a further meeting on the 26th May 1870, when the association was formally constituted, and its rules are what I am about to read, or its principles are what I am about to read: “(1.) This association is formed for the purpose of obtaining for Ireland the right of self-government by means of a national parliament. (2.) It is hereby declared, as the essential principle of this association, that the objects, and the only objects contemplated by its organisation are: to obtain for our country the right and privilege of managing our own affairs, by a parliament assembled in Ireland composed of Her Majesty the Sovereign, and her successors, and the Lords and Commons of Ireland. To secure for that parliament, under a federal arrangement,

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“ the right of legislating for and regulating all matters relating to the internal affairs
“ of Ireland, and control over Irish resources and revenues, subject to the obligation
“ of contributing our just proportion of the Imperial expenditure. To leave to an
“ Imperial parliament the power of dealing with all questions affecting the Imperial
“ Crown and Government, legislation regarding the colonies and other dependencies
“ of the Crown, the relations of the United Empire with foreign states, and all matters
“ appertaining to the defence and the stability of the empire at large. To attain such
“ an adjustment of the relations between the two countries, without any interference
“ with the prerogatives of the Crown, or any disturbance of the principles of the
“ constitution,” and, finally, “(3.) The association invites the co-operation of all
“ Irishmen who are willing to join in seeking for Ireland a federal arrangement based
“ upon these general principles. (4.) The association will endeavour to forward the
“ object it has in view by using all legitimate means of influencing public sentiment
“ both in Ireland and Great Britain, by taking all opportunities of instructing and
“ informing public opinion, and by seeking to unite Irishmen of all creeds and classes
“ in one national movement in support of the great national object hereby contemplated.
“ (5.) It is declared to be an essential principle of the association that, while every
“ member is understood by joining it to concur in its general object and plan of action,
“ no person so joining is committed to any political opinion except the advisability of
“ seeking for Ireland the amount of self-government contemplated in the object of the
“ association.”

I will not stop to point out to your Lordships the essential difference in that scheme and the restoration of the Grand Parliament which was what was known by the name of the Repeal Movement, because you will recollect under the constitution of that parliament Ireland did have the right of independent negotiation in foreign treaties, did have the right to control an army and navy of its own, if it thought fit to raise it, and other matters of that kind; but under the federal arrangement here proposed the object was to secure for Ireland—to put it in a sentence—a potential and effective voice in legislating in her own domestic concerns.

My Lords, there are some other names I must mention—the names of William O’Brien and of John Dillon. Neither of these men, for they are younger in years than those I have mentioned, with the exception of Mr. Sexton (and the same remark applies to Mr. Sexton), had ever been connected with any previous political movement. They had never been members of any secret society or organisation. Mr. O’Brien was a newspaper man. Mr. John Dillon was a man who had claims to the respect of the people of Ireland, for his father, in times of trouble and unfaithfulness, had been true to his trust as an Irish representative, and Mr. John Dillon was, as Mr. O’Brien, bred and educated as a gentleman, educated to the medical profession. Both of these men were ardent men, believed that they could do something, hoped that they could do something, to alleviate their country and their countrymen. They have been called enthusiasts—sometimes called fanatics. Well, my Lords, they were enthusiasts. They may not have been always wise; they may not have always said or done the most discreet thing at the most discreet moment, but they were men full of zealous and unselfish purpose to do what became honourable men to do to help those who needed help.

My Lords, there is room in this world for more enthusiasts. Our age, our time, our habits of life constitute an existence selfish, dull, material enough, and it is enthusiasts who lift us at times out of ourselves, and do something to relieve that general tone of selfish materialism which I am afraid is growing a characteristic of our time. And after all, my Lords, it is enthusiasts who have sounded the trumpet in times gone by, and who will in times to come do it; who have sounded the trumpet when there was any great cry of apprehension, and any great effort for human redress made. I need not defend them from this charge. I think they are guilty of being unselfish enthusiasts.

I must mention two more names, my Lord. Mr. Michael Davitt is the son of a Mayo peasant. He had a stormy and a trying life. He is a man of conspicuous ability and of education, which in difficult circumstances he has procured for himself; and perhaps, beyond the restlessness of character and the ability which he has displayed, perhaps his most remarkable characteristic is this, that in spite of it all he has no

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rancour in his disposition, and he has shown his willingness from time to time unselfishly and ungrudgingly to give unrequited labour where labour could help.

My Lord, his recollections of Ireland, which go a long way back, are sad recollections. His recollection is of a child of five or six years of age flung on the roadside with his father and his mother, victims of an eviction, and his first recollection is the deep wailing of his mother, and the fierce anger of his father when he, with all the property which belonged to him, were flung out on the roadside by his peasant home. His next recollection is even sadder still. It is the recollection of being led by his mother's hand to the poor-house in Galway, and his mother turning indignantly from the official who told her she could have no admittance there unless she was willing to be separated from her child. For, my Lord, in those days the poor law in Ireland was worked not merely as an instrument for the relief of distress, but as an instrument for degrading proselytism. Mr. Davitt next found himself in a busy manufacturing town in Lancashire, and there he suffered, still of tender years, that physical injury which would have broken down the spirit and the resolution of a less brave man. He has struggled on. Without fear of contradiction, I say that the whole course of his life may be examined, and among those who have come in contact with him, not one will be found to say that he has been unfaithful to any trust, or has been guilty of any dishonouring action. Like several of those whose names I have already mentioned, he, too, in 1865, young, enthusiastic, joined the fenian movement. He avows it, and I daresay if pressed would still say, that if despairing of constitutional effort, it seized his soul as it possessed him then, that failing any other field for useful work for his country and his countrymen, he would become a fenian again. He, my Lords, has suffered for his sins, and he desires to have, and is rejoiced in having on this occasion the opportunity in the witness box of explaining upon his oath, one imputation which has been made upon him—that of complicity or of possibility of complicity with assassination, which he will show to your Lordships, as I am instructed, to be absolutely without foundation. My Lords, he has suffered many years imprisonment. To men of weak moral fibre that imprisonment would have been ruin. To him it has been an opportunity, which he has nobly embraced, for the forming of his own character, for the widening of his own mind, for the strengthening of his own resolutions for good, and has been but an opportunity of adding to his capacity to serve his fellow-men. He, my Lords, also is one who joined Mr. Parnell in the Land League movement.

The last of those to whom I have to refer is Mr. Parnell himself. Mr. Parnell has hereditary claims to the esteem and gratitude of the Irish people. His great-grandfather, Sir John Parnell, was the last Chancellor of the Exchequer in the Irish Parliament, and rather than be a party to that act of betrayal he surrendered his office. His grandfather, Mr. William Parnell, was the author of one of the noblest tracts that I have ever read, and a Protestant gentleman, and knowing his Catholic fellow-countrymen he published in 1807 the well-known historical apology for the Irish Catholics, in which he defended them successfully from the charge of bigotry and religious persecution, and described them, as I believe truly but briefly as the only people, who, having been foully deprived of political rights and freedom, had, upon the resumption of those rights, not used that freedom and that power for the purposes of persecution.

My Lords, the father of Mr. Charles Parnell, the son of the author whom I have just mentioned, married a lady of distinguished lineage. The mother of Mr. Charles Parnell was a daughter of the first American admiral, Charles Stewart, whose ship, the "Ironsides," bears in the history of the American navy the same place that Nelson's "Victory" bears in the history of the English nation.

Mr. Parnell was educated at Cambridge, served the office of high sheriff as his father and his grandfather before him had done in his county, Wicklow, and in 1875, entered Parliament.

I pause for a moment to repeat my question. The answer to it resolves the pith and marrow of the question which your Lordship's Commission has to decide. You have these men—Mr. Biggar, of Belfast, trader; Mr. Patrick Egan, of Dublin, tradesman; Mr. John Dillon, the medical student; Mr. Thomas Sexton, the literary man; Mr. William O'Brien, the newspaper editor; Mr. Michael Davitt, the peasant's son;

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Mr. Charles Stewart Parnell, whose history and whose lineage I have given you; what brought these men together? What was the tie between them? What was the link that associated men presumably dissimilar in tastes, different in station, different in degree of education? What brought them together? Again I put it. Is it true—for that is the case of the “Times”—that these men come together on the public platform binding themselves together as criminals to violate the law, and to do that under the sham and pretext of a social movement? If they did so they deserve all condemnation that may fall upon their heads. But do you believe so? Is any man so blinded by passion and by prejudice as not to see that there was a common impelling motive with these men, and that common impelling motive was the great national calamity which was then pressing upon their country, and which they as men were bound to do what they could to mitigate or to avert.

My Lords, I must follow out the career of Mr. Parnell in brief, from his entry into Parliament, as representative for the county of Meath in the year 1875, and, if I am not greatly mistaken, that history will reveal Mr. Parnell in the true and, I think, great and remarkable proportions of a constitutional Parliamentarian of great power, of great statesmanship, of remarkable foresight. He came into Parliament at a time when Mr. Isaac Butt, who had undoubtedly done noble work in his day, and to whom the memory of the Irish nation looks back with gratitude, at a time when Mr. Butt, far advanced in years, and perhaps unwilling to embark in fresh enterprises requiring great exertion and great resolution, had a Parliamentary party, a portion of which undoubtedly was honest, thoroughly honest, in the profession of its political views, and another part of which unquestionably were classed under the name given to them by another distinguished statesman as being nominal Home Rulers, and who thought that they satisfied all the exigencies of their position by taking their part in an annual parade, or annual division, on the question of a committee to inquire into the relations between Ireland and England.

My Lords, Mr. Parnell was impressed with the view—as events proved, rightly impressed with the view—that the first need, the first necessity to make any impression on the public mind of England and on the Parliament of England was to force in season and out of season upon public attention questions relating to Ireland which he believed to be urgent; and he also from the outset resolved on taking part, a leading and prominent part, in the discussion of questions which, although they related to Ireland, did not exclusively relate to Ireland.

One of the first measures in which he took a prominent part was the discussion of the Annual Meeting Bill as it used to be called—the Army and Navy Meeting Bill—or the Army and Navy Discipline Bill as it is now called. He found that that Bill had passed in previous sessions of Parliament as a matter of course. He found it was loaded with obsolete and many, as he believed, inhuman provisions, and he set himself to its reformation, and obtained ultimately the appointment of a committee—of a strong committee—the result of which was amongst other things the abolition of flogging in the Army and Navy.

That, my Lords, was in the years 1876, 1877, and 1878, and, I think, the flogging was abolished, as far as I recollect, in 1880. In 1877 he took a strong interest in the discussion of the Prisoners’ Bill, brought in at that time by, I think, the present Lord Cross, then Sir Richard Cross, and Home Secretary for England; and as the result to begin with, of his efforts aided undoubtedly by others in co-operation with him in the House, he introduced a number of humane provisions for the treatment of prisoners awaiting trial; for the treatment of prisoners tried for sedition or seditious libel; of prisoners who were charged with committing contempt of court, dealing first with the prisoners awaiting trial in seditious libel and contempt of court, and then for the better treatment of persons convicted of those offences.

A little latter Mr. Parnell, when Mr. Isaac Butt left the scene, after a short interregnum, during which Mr. William Shaw was the nominal leader of the Irish Party, Mr. Parnell, in 1880, was elected its head and president.

I will give your Lordships presently the actual formation of the League, who the persons were who assisted at its birth; but I would like here boldly to state the views upon which Mr. Parnell acted in this and in every other public movement of his life. He knew, as your Lordships now know, though I fancy the story may probably

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have been new to some of your Lordships, the feeling which existed in the Irish mind in relation to the hopelessness of reform through Parliamentary action. He knew the feeling that existed in the Irish mind that at a period of open voting, and with a narrow and restricted franchise, sacrifice after sacrifice had been made to return members to Parliament, and those sacrifices had been unproductive of any beneficial result to the country. He felt that the first necessity was to create a strong, healthy opinion in Ireland, in the words which I yesterday referred to, of Chief Baron Woolfe, "an opinion racy of the soil," which should help to create, and having created help to maintain, the Irish Party independent of either great political party in this country; and in the formation of the League and selection of his colleagues in Parliament, knowing as he did the history of the disasters of the fenian movement, but knowing, as he also did know, that those men had taken part in that movement in utter despair, and were prompted to indiscreet methods by no selfish reason, he resolved, and has from the beginning to the end resolved, to act upon the principle of inviting into his open constitutional movement every man, whether he had been a man of the Young Ireland Party in 1848, or of the fenian movement of 1865-1867—of every man, whatever his creed, whatever his antecedents, whatever his political associations, provided always and only he was earnest to work honestly for the good of his country.

My Lords, one thing can truly and proudly be said by Mr. Parnell in his evidence in that regard. He created and he maintained such party; they have been independent of either party in the State. Whatever else in the way of fault-finding may be alleged against them, it has not been alleged that they have been tainted by corruption; it has not been alleged that they have have betrayed their trust; it has not been alleged that they have violated any promises or undertakings by which they received the support—the remarkable unanimous support—of the Irish people who sent them to Parliament.

I now come to the formation of the League and to the means and the objects which, by its constitution, it proposed for adoption and for use.

[Adjourned till to-morrow at 10.30.]

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,

PROBATE COURT, No. 1,

Thursday, 4th April 1889.

(*Sir C. Russell.*) My Lords, I yesterday endeavoured to lay before your Lordships the state of things which we submit justified the creation of some local, strong, defensive body amongst the tenant class, and the representatives of the tenant class, in Ireland.

That organization ultimately became known under the name of the Irish National Land League, and I have now to lay before your Lordships, and I think I am right in saying to lay before you for the first time, the written constitution and the published aims, object and means, of that organization.

It was established formally on the 21st October 1879. It was suppressed formally in October 1881.

Previous to October 1879 there had been several meetings—the earliest, I think, in Mayo, at Irishtown—at which the need for such an organization was discussed. Other meetings were held in other places, at some of which Mr. Davitt assisted, and undoubtedly Mr. Davitt has been called, and rightly called, the father, the parent, of the Land League.

My Lords, Mr. Parnell, I say at once, did not readily give his assent to its formation or to its programme; not in the least because he failed to realise the necessity for some such organization, but he had a distrust that was natural. He had never taken part in any popular movement of the kind. He is essentially, and by temperament, by accomplishments, by character of mind, a parliamentarian. I say it plainly, that while he possesses the distinguished and distinguishing qualities of a statesman, he lacks many of those qualities which one is apt to associate with the idea of a great popular leader of a great popular movement. He is impassive; he lays no claim to eloquence to move multitudes, although he does unquestionably possess some other and greater qualities—discernment, resolution, foresight, self-control, prudence.

After consideration he joined, and joined heartily, the movement, and became its president. He foresaw, as anyone must foresee, that in any great popular upheaval there must be difficulties and must be disturbances, and that there will attach itself to the fringe of such a movement men possessing sympathy with its objects but having ideas of their own.

The meeting of the 21st October, at which it was inaugurated, was held in the Imperial Hotel, Lower Sackville Street, Dublin, Mr. Andrew J. Kettle, Poor Law Guardian, in the chair.

The resolutions were as follow:—

Proposed by the Rev. Father Behan, and seconded by Mr. William Dillon, Barrister-at-Law, “That an association be hereby formed, to be named ‘The Irish National Land League.’”

Proposed by Mr. William Kelly, seconded by Mr. Thomas Roe, “That the objects of the League are, first, to bring about a reduction of rack-rents; second, to facilitate the obtaining of the ownership of the soil by the occupiers of the soil.”

Third.—Proposed by Mr. Parnell, and seconded by the Rev. Father Sheehy, “That the objects of the League can be best attained by promoting organization among the tenant farmers, by defending those who may be threatened with eviction for refusing to pay unjust rents; by facilitating the working of the Bright clauses of the Land Act” (that is the Act of 1870) “during the winter, and by obtaining such reform in the laws relating to land as will enable every tenant to become the owner of his holding by paying a fair rent for a limited number of years.”

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My Lords, I will anticipate by saying that that resolution has been to a great extent carried into effect, and that the concluding portion of that clause, namely, the turning of the tenant occupier into the owner of the fee simple of his holding by a limited payment over a limited number of years, is now the adopted policy of one of the great parties in the state, I might almost say of both, and in part carried into effect.

Proposed by Mr. Sweetman (this is the fourth), seconded by Mr. T. D. Sullivan, "That Mr. Charles S. Parnell, M.P., be elected president of this League."

Proposed by Mr. George Delany, seconded by W. H. Cobbe, "That Mr. A. J. Kettle, Mr. Michael Davitt, and Mr. Thomas Brennan be appointed honorary secretaries of the League."

Fifth.—Proposed by Mr. Patrick Cummins, Poor Law Guardian, seconded by Mr. Lawrence M'Court, Poor Law Guardian, "That Mr. J. G. Biggar, M.P., Mr. W. H. O'Sullivan, M.P., and Mr. Patrick Egan be appointed treasurers."

Sixth.—Moved by Father Sheehy, seconded by Mr. Michael Davitt, "That the president of this League, Mr. Parnell, be requested to proceed to America for the purpose of attaining assistance from our exiled countrymen, and other sympathisers, for the objects for which this appeal is issued."

Seventh, and last.—Proposed by Mr. Thomas Ryan, seconded by Mr. J. F. Grehan, "That none of the funds of this League shall be used for the purchase of any landlord's interest in the land, or for furthering the interests of any parliamentary candidate."

I may say at once, my Lords, that that concluding resolution was afterwards rescinded; but in the succeeding election of 1880 only modified to the extent of permitting the appropriation of a sum of, I think, about 2,000*l.*, which was the sole Parliamentary Candidate Fund which the Irish Party had at their disposal at that election for the whole of Ireland.

There was also then formed a committee, and I wish to read to your Lordships that committee, comprising names well known in Ireland, and they are representatives of the whole of Ireland.

Committee—Charles Stewart Parnell, M.P., President, Avondale, Rathdrum.

"Other members—Purcell O'Gorman, M.P., Waterford; John Ferguson, Glasgow—that is a gentleman who has been referred to, and he will be referred to by me later on—the Dean of Cashel, W. Quirke; Dr. Cummins, of Liverpool; Matthew Harris, of Ballinasloe; the Very Rev. Canon Bourke, P.P., Claremorris; J. O'Connor Power, M.P., London; Rev. John Behan, C.C., Francis Street, Dublin; Richard Lalor, now a Member of Parliament, not then in Parliament, Mountrath; J. L. Finegan, M.P., London; Rev. R. Sheehy, C.C., Kilmallock; J. J. Louden, Barrister-at-Law, Westport; O'Gorman Mahon, M.P., London; John Dillon, North Great George Street, Dublin; the Rev. W. Joyce, P.P., Louisburgh, co. Mayo; N. Ennis, M.P., Claremount, co. Meath; Thomas Roe, proprietor of the 'Dundalk Democrat'; Dr. J. R. M'Closkey, Londonderry; George Delany, Burlington Road, Dublin; T. D. Sullivan, now M.P., 'Nation,' Dublin; James Byrne, Wallstown Castle, Cork; Dr. J. E. Kenny, Lower Gardiner Street, Dublin; Mulhallen Marun, J.P., Ballyragget, now Member of Parliament; P. F. Johnston, Kanturk; the Rev. M. Formey, Painstown, Beauparc; the Very Rev. Canon Doyle, P.P., Ramsgrange; Philip J. Moran, Finen, Granard; O. J. Carraher, Cardestown, co. Louth; the Rev. J. White, P.P., Milltown-Malbry; P. Cummins, Poor Law Guardian, Rathmines; James Daly, Poor Law Guardian, Castlebar; P.M. Furlong, C.C., New Ross; Thomas Ryan, Great Brunswick Street, Dublin; James Rourke, Great Britain Street, Dublin; Richard Kelly, proprietor of the 'Tuam Herald'; William Dillon, North Great George's Street, Dublin, Barrister-at-Law; I. J. Kennedy, T.C., Clonliffe Terrace, Dublin; M. O'Flaherty, Dunoman Castle, Croom; John Sweetman, Kells; M. F. Madden, Clonmel; J. C. Howe, London; Rev. Thomas Tynch, Painstown, Beauparc; J. F. Grehan, Poor Law Guardian, Cabinteely, co. Dublin; the Rev. D. Brennan, Kilmacow, co. Kilkenny; William Kelly, Donabate, co. Dublin; C. Reilly, Artane, co. Dublin; L. M'Court, Poor Law Guardian, Bolton Street, Dublin; Stephen O'Mara, Limerick; Thomas Grehan, Loughlinstown, co. Dublin; M. K. Dunne, C.C., Enniscorthy; M. J. Kenny, P.P., Scariff; R. H. Medge,

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“ Athlumney House, Navan; Michael A. Conway, afterwards M.P., P.P.,
 “ Skreen, co. Sligo.

“ Treasurers—W. H. O’Sullivan, M.P., Kilmallock; J. G. Biggar, M.P.,

“ Belfast; Patrick Egan, 25, Synnot Place, Dublin.”

The honorary secretaries I have already mentioned.

I have troubled your Lordships by the enumeration of these names for one reason principally. It is to state that of the whole of the number of this committee which formed the initial executive of the League there are only, as I am informed, and as far as we know, five names out of the entire number who had ever been connected with any secret organization whatever, and I mention the names therefore in detail, that if it be thought fit to question it, or if there be ground for questioning it, it may be done.

My Lords, at that same time there was circulated an “Appeal to the Irish race.” I will read every document, because I desire, as I think I have more than once satisfied your Lordships I desire, really to get, as we have embarked on this enterprise, at the bottom of the entire matter. This document, my Lords, was circulated and was headed, as I have said, an “Appeal to the Irish race,” issued under the sanction of the Executive.

“ The land and rent agitation which has originated in the West of Ireland—

“ perhaps your Lordships will allow one of my learned friends to read it.

(*The President.*): Certainly.

(*Mr. Asquith*) [*reading*]:

“ The land and rent agitation which has originated in the West of Ireland,
 “ and is rapidly spreading throughout the country, has now assumed such national
 “ proportions that it becomes a question of first importance to all who sympathise
 “ with its legitimate objects, how best to guide this popular movement to the
 “ attainment of those ends. Temporary abatements of excessive rents are being
 “ and may continue to be obtained through the various agencies of a sympathetic,
 “ but unorganised advocacy which the existing widespread and alarming distress
 “ elicits from the press and bodies of the community; but without the creation of
 “ some constituted guide or directing influence the primary, if not the sole cause
 “ of the existing poverty of the agricultural classes will not be removed.

“ Independent of the effect which the products of the vast free lands of
 “ America and other favoured countries must have in competition with the produce
 “ created under rent-tied and paralysing conditions in Ireland, almost all the evils
 “ under which her people suffer are referable to a land system glaringly
 “ antagonistic to the first principles of justice and fair government, which place
 “ the good of the greatest number above the privileged gratification of the few.
 “ Landlordism, founded as an institution of systematic partiality, has proved
 “ itself but too true to the spirit of its origin by reducing all who are dependent
 “ on, but unprotected by, ownership of the soil, to a degraded, semi-mendicant
 “ existence, and, in addition, includes the loss of that independent character which
 “ arises from an independence of position.

“ The duties which feudal laws and customs exacted in return from those in
 “ whom they recognised certain arbitrary rights, have been ignored by Irish
 “ landlordism in its relations to the soil and those dependent upon the fruits of
 “ its cultivation, thus adding to the other indictments against the system a
 “ nonfulfilment of essential obligations.

“ Any land system which does not tend to improve the value of land and
 “ enable cultivation to meet the exigencies of those dependent upon its produce,
 “ stands self-condemned as barbarous, unjust, and reprehensible.

“ The diminished population of our country, the millions of our race who
 “ perished in or fled from a land in which God intended they should not die by
 “ hunger; the continued struggle with poverty, which those have to maintain who
 “ yet cling to their native soil, and the periodic climaxation of the impoverish-
 “ ing influences which landlordism exercises upon the social life of Ireland,
 “ demand at last, in face of yet another impending national calamity, the appli-
 “ cation of a remedy which can no longer be denied the salvation of a people.
 “ In contrast to the social wretchedness to which a barbarous land system has
 “ reduced our country is the rapidly progressing prosperity of those people at

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“ whose demand, or for whose benefit such a system has been swept away,
 “ and the cultivator of the soil has replaced the landlord as its proprietor.
 “ The surplus produce of lands thus freed, and agricultural industry thus
 “ relieved from its rent-taxation, is now placed by easy transit over sea and
 “ land in competition with what is produced under conditions of land tenure the
 “ most unfavourable, and incentives to toil the least encouraging, that ever
 “ regulated the chief industry of any civilized country. When to this is added
 “ the adverse influences of successive bad seasons, on the point of culminating in
 “ what threatens to be the worst yet experienced since famine years, the position
 “ of the Irish farmer and those depending upon the fruits of his enterprise and
 “ labour assumes an aspect of menacing ruin, which to consider as transient or
 “ accidental would be a criminal disregard of the vital existence of a people.
 “ Impelled by the desperate circumstances of their situation, the farming and
 “ other classes concerned have proclaimed their grievances in public meetings and
 “ by the press, demanding the remedies which alone can redress them. A
 “ consensus of opinion apart from immediate interestedness has declared that
 “ the remedy put forward by the present agitation is founded on justice, reason,
 “ and expediency, and that its application is absolutely essential to meet the
 “ evils complained of, and insure the prosperity and contentment of Ireland. In
 “ formulating a demand for ownership of the soil by the occupiers in substitution
 “ for that of the landlords, the people of Ireland neither contemplate nor ask for
 “ the confiscation of those proprietorial rights which existing laws must necessarily
 “ recognise and protect; but that for the transfer of those rights to an industrial
 “ ownership, a fair compensation may be given to those who shall be called upon
 “ to agree to such transfèr for the settlement of the agrarian strife of the country,
 “ and for the supreme good of its people.

“ To carry out a project as vast as that which we contemplate must require
 “ means in proportion to the difficulties that must be encountered in the undertaking.
 “ Tenants defence associations must be organised in every county, and assis-
 “ tance be rendered to farmers who may be called upon to defend themselves
 “ against an unjust or capricious exercise of landlord power. The wealth of
 “ Ireland is almost entirely in the hands of that class which we purpose for
 “ the good of the country to deprive of the absolute possession of the soil,
 “ and it is but natural to expect that strong and influential opposition will be
 “ offered by those who will be called upon to surrender the privileges they
 “ have so long enjoyed, even in virtue of compensation and expediency. To
 “ meet this opposition, and guide the national movement for freeing the land
 “ of Ireland, assistance of two kinds must be forthcoming: the one and most
 “ essential kind is an organised developement of earnestness, and a resolute
 “ attitude on the part of the six hundred thousand landless farmers of Ireland,
 “ as well as those whose daily bread depend upon the prosperity of their fatherland
 “ in demanding their just rights as guaranteed in the settlement we propose.
 “ The second aid required is money. Neither has ever been wanting when the
 “ national spirit of our country, and the patriotism of her exiled sons have
 “ been appealed to in a patriotic cause, and we are confident they will not
 “ be withheld now when the very soil of Ireland is the object we desire to free
 “ and the land slavery of our people the thing we are resolved shall be abolished
 “ for ever. None of our race have had such bitter experience of the wrongs
 “ of landlordism as those who have been compelled to seek abroad the food denied
 “ them at home, and none should more readily and generously sympathise with
 “ those who are resolved to retain a firm grip of their Irish homesteads than the
 “ exiled who were forced by iniquitous laws to leave them.

“ In the great shelter land of people ten millions of the Irish race have found
 “ a home. The system we aspire to abolish has banished them from Ireland.
 “ Benefiting by laws which afford equal protection and encouragement to all
 “ citizens of the great republic of America, they can appreciate the efforts which
 “ aim at affording equal incentives to progress to their crushed and persecuted
 “ kindred here.

“ Not alone to our fellow countrymen in America, but to all whom evil laws
 “ have scattered the world over, as well as to all other nationalities who sympathise

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[Continued.]

“ with a wronged and impoverished people who at last are resolved upon a remedy
“ for the evils afflicting them, do we call for an advocacy of our cause and support
“ in our efforts to achieve its success.

“ In constituting ourselves a committee for the purpose of carrying out this
“ work we are animated with but one desire, to aid the tenant farmers and those
“ depending upon the soil of Ireland to lift themselves from the misery and social
“ degradation in which they are plunged into a position where the notice to quit and
“ the rack-rent will not operate against their industry, security, and contentment.
“ We are influenced by no party spirit in making his appeal, nor do we in any
“ way purpose to place this committee in antagonism with existing bodies or
“ organizations employed in other departments of national labour. To free the
“ land of Ireland from the unwise and unjust restrictions which militate against
“ its proper cultivation, and prevent the development of its full resources, should
“ be a labour above the customary influences of party or sectional strife, and to
“ be guided alone by motives of disinterested effort for the benefit of our common
“ country, and the improvement, contentment, and prosperity of the greatest
“ number of our fellow countrymen.

“ The grounds upon which we feel authorised to issue this appeal are the
“ fact of our being either directly or indirectly connected with the agitation
“ which has sprung from the distress that has evoked a national condemnation of
“ the present land system. As this land movement has won an endorsement from
“ public opinion of an occupier proprietary settlement of the land question, those
“ who have advocated such a remedy prior to and in conjunction with the national
“ demand now made for it, feel themselves justified in taking such steps as may
“ be best calculated to insure its application to the existing land evils of our
“ country. In pursuance of this intention we issue this appeal to Irishmen the
“ world over, and to those who sympathise with the object in view, to aid us in
“ our efforts to obtain for our people the possession of an unfettered soil, and for
“ Ireland the benefits which must result from an unrestricted development of its
“ products and resources.”

(*Sir C. Russell.*) My Lords, that was issued immediately after the meeting which I have mentioned to you. I have to read in that connexion also the rules which were at that time formulated. It is headed—

“ THE IRISH NATIONAL LAND LEAGUE.

“ Offices : 62, Middle Abbey Street, Dublin.

“ Branches of the Irish National Land League should be established in every
“ parish, or in groups of parishes, in Ireland.

“ RULES FOR THE GUIDANCE OF BRANCHES.

“ I.

“ That a president, vice-president, treasurer, and secretary, and with them
“ not less than seven members, be elected a committee for the general management
“ of business.

“ II.

“ That the officers shall be elected for the term of one year, subject to
“ removal by a vote of the members of the branch.

“ III.

“ That the election of officers shall take place by ballot.

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[Continued.]

“ IV.

“ That the membership subscription shall not be less than one shilling each year, the subscription being based on Government valuations, as follows :—One shilling annually for first 5*l.* valuation and under, and an increase of one shilling for every additional 10*l.*

“ V.

“ That all branches affiliated to the League shall forward, on the first day of each month, half of the funds in hand, and with it a monthly statement to the Central Executive.

“ VI.

“ That the treasurers shall in all cases furnish members with regular Land League receipts for full amount of subscriptions paid, on forms supplied by the Central Executive, the counterpart of which shall be forwarded to the central offices.

“ VII.

“ That all cards of membership shall be supplied by Central Executive, and will be furnished when Rule VI. has been complied with.

“ VIII.

“ That no person shall be admitted to membership who does not give his adhesion to the principles of the League.

“ IX.

“ That no one taking a farm from which another has been evicted for non-payment of unjust rent shall be allowed to become a member of any branch of the Land League.

“ X.

“ That any member of a branch bidding for, or occupying a farm from which a member or non-member has been evicted, or who shall rent land which a member or non-member may have surrendered on grounds of excessive rent or upon a refusal of a fair reduction of a rack-rent, shall be expelled the branch for such action.

“ XI.

“ That no man assisting to serve processes of ejectment, or taking part in any eviction, or purchasing stock or produce seized for non-payment of a rack-rent, be allowed the membership of any branch. Any member of a branch proved guilty of any of the foregoing acts to be at once expelled.

“ XII.

“ That the managing committee of each branch of the League should keep a register of the members, particulars of their holdings, names of their landlords and agents, amount of rent paid annually or otherwise, excess of same above Government valuation, cases of rack-renting and eviction, and all the necessary particulars touching the relation of landlords with their tenants in the locality of such branch of the League, in books to be supplied by the Central Executive.

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[Continued.]

“ XIII.

“ That all sectarian discussions be excluded from meetings.”

My Lords, about the same time, on the 5th of November, 1879, the following address was issued :—

“ To the FARMERS of IRELAND and all INTERESTED in the SETTLEMENT of the
“ LAND QUESTION.

“ Having addressed the exiled of our race in behalf of the movement which
“ has been initiated for the redress of the land evils of our country, we now ven-
“ ture to appeal to you for practical assistance in the efforts we are making
“ towards securing the soil of Ireland for those who cultivate it.

“ No more favourable opportunity has ever presented itself to our people for
“ the settlement of a momentous national question than that which is now offered
“ by circumstances the most propitious for a radical reform, existing in con-
“ junction with an extraordinary popular agitation demanding the justice of its
“ concession.

“ The first industry of our people is paralysed. Foreign competition has
“ supplemented the disastrous effects of bad harvests, and produced a crisis which
“ renders it almost impossible for farmers to meet their rental obligations.
“ Agitation has had to be evoked to demand reduction of rents which could not
“ be paid. The price of land has also fallen in consequence of the lowering of
“ farm produce and the stand which the farming classes have been compelled to
“ make for reduced rents.

“ Both will be continued to be lowered until rents are brought to a proper
“ level and land to its fair value.

“ Will the people of Ireland lay a firm hold of this land question at the tide
“ that is now approaching, and which will inevitably lead to a peasant proprietary,
“ and thus insure for our country that prosperity and contentment which a free
“ soil has produced in countries where landlordism has been abolished ?

“ We earnestly hope that those whom we address will prove themselves equal
“ to the occasion. We at least are resolved to do our duty ; but if our efforts
“ are not seconded by farmer and labourer, trader and mechanic, and all others
“ whom a system must benefit that would create and foster an industry which is
“ the mainspring of a people's wealth and would prove the panacea for the social
“ evils arising from unemployed masses, we are hopeless of success.

“ The best arguments for obtaining help from our exiled countrymen and
“ other sympathisers will be the practical efforts we at home will make to show
“ our earnestness in the cause for which we solicit their generous support.

“ We call upon all who desire the success of this movement to aid us by
“ their subscriptions and assistance. We ask only for what will show the
“ sympathy of those whose helping hands are required in the work.

“ The agitation for the reduction of excessive rents must be sustained, so
“ that the operation of natural causes may be assisted in bringing land to a fair
“ valuation in order to make its cultivators to become the owners of their own
“ farms upon terms within the means of every occupier.

“ For this and other purposes beneficial to the farming classes, organization
“ is required among them ; and to sustain this land movement and encourage such
“ organization, as well as to render assistance when necessary to victims of land-
“ lord oppression, we have appealed for money to our banished kindred, and for
“ these purposes, and these alone we now appeal to you for whatever aid you can
“ afford to render.

“ This is no sectarian movement, but one which affecting alike the social
“ well-being of Catholic and Protestant, should invite their emulative co-operation
“ in efforts to achieve its success ; nor is it exclusively concerned in ameliorating
“ the condition of the farmer and agricultural labourer, but has for its scope the
“ general advancement of every commercial interest, and the encouragement of
“ every occupation in the industrial ranks of our people.

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“ The attention of the civilised world will be directed on Ireland to observe how she will work out this great social problem for the unfettering of land and labour, and the removal of those legal restrictions which prevent the soil of a country from producing the good for which it was created, thus making a struggle with poverty, through life, the penalty which the mass of mankind have to pay to evil laws for being born poor. Will Ireland be true to herself and equal to this task? ”

That, my Lords, is signed by:—

“ CHARLES S. PARNELL,	} Executive Irish National Land League.
“ JOSEPH G. BIGGAR,	
“ W. H. O’SULLIVAN,	
“ PATRICK EGAN,	
“ A. J. KETTLE,	
“ MICHAEL DAVITT,	
“ THOMAS BRENNAN,	

My Lords, one further address I must call attention to. Ulster farming in the land of every Irish popular movement had, of late years, been mainly the cause of religious differences which had been fomented by all interests; persons and classes, had stood apart or at least a great portion of Ulster had stood apart, and an address was about the same time specially made to the Ulster farmers in which they were reminded that this was a cause of common interest to them all, and invited them to lay aside the sectarian—the religious differences which had to some extent, at least, kept them apart and out of sympathy of the rest of the people. I would ask my friend to read that address, and I hope, my Lords, that that is the last at this moment that I shall have to read.

(*Mr. A. Russell.*) This is—

“ MANIFESTO to the PEOPLE OF ULSTER.

“ Fellow countrymen. There is evidence that in parts of Ulster the opponents of land reform are endeavouring to create disunion between North and South. If these persons confined themselves to facts and fair arguments the public would have no reason to complain, for this is an age when every principle and every public movement have to account for themselves before the bar of public opinion. But when men come forward who assume a tone of friendliness to the tenant farmers, and then strike at them from behind sectarian barriers, and from a platform with which the present land movement has no relationship either of alliance or antagonism, we think it right to protest against such conduct and repel the slanderous calumnies which have been heaped upon us and upon the just and noble cause with which we are identified. We are accused of agrarian crime by the class who, as landlords, have been willing instruments in committing the greatest agrarian crime that (we quote the words of the ‘Times’) ‘ever one nation committed against another.’ We are accused of sectarianism by men who, in the same breath and on the same platform from which they make these charges, apply themselves to the satanic work of striving to create discord and hatred between people who conscientiously differ in matters of religion. To the first of these charges we answer that agrarian crime is the natural outcome of our present land system, and those who sustain that system are responsible for the crimes that spring from it. The second charge, as that of sectarianism, we brand as a foul and malicious falsehood, and challenge the traducers of ourselves, and those who co-operate with us, to point out a single instance in which sectarianism has shown itself in our proceedings, or as being the effect of our proceedings. Every observer who has followed the course of our present agitation must be aware that Catholics—even the Catholic hierarchy and priesthood—are as much divided on the great question we advocate as if they were not members of the same religious community; a portion being anxious to retain a territorial caste, while others lead to the side of a peasant proprietary. As a matter of

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“ fact, the present agitation has resolved itself into a struggle, pure and simple,
 “ between the tenants and their friends on the one side, and the landlords,
 “ Protestant and Catholic, and their supporters on the other. That the state of
 “ feeling we here describe exists throughout the other three provinces was clearly
 “ shown at the late general election, when, as in Roscommon, Mayo, and other
 “ places, Catholic gentlemen of the staunchest type, and the oldest families were
 “ unseated solely on account of their being sufficiently advanced on the question
 “ of land reform. If, then, the Catholics of the South give such evidence of their
 “ willingness to ignore party ties, if they assert their right to differ, and maintain
 “ their right to differ from the highest dignatories of their Church on the great
 “ question of the day, are they to be met with denunciations and distrust; are
 “ they to be left to fight the battle alone and unaided by the men of the
 “ North? We think not—we believe they will be met half-way—we believe
 “ the men of Ulster will show the world that in the cause of justice, in the
 “ interest of the oppressed tenant farmers they can raise themselves above the
 “ level of sectarian prejudice or party welfare. In this address we would prefer not
 “ touching on the question of religion, nor would we do so except to rebut falsehood
 “ and make known the truth, and as some of the exaggerated statements put forward
 “ are calculated to mislead persons who do not look below the surface, we would
 “ meet these statements by calling attention to a few important facts—facts which
 “ should be known to every farmer in Ulster. The first of these we take from
 “ the ‘English in Ireland,’ by Mr. Froude, who states that ‘In the two years
 “ ‘ which followed the Antrim evictions, 30,000 evicted Protestants left Ulster for
 “ ‘ a land where there was no legal robbers, and where those who sowed the seed
 “ ‘ could reap the harvest.’ The Antrim evictions took place in 1772. The
 “ highest delinquents in those evictions were Lord Donegal and Mr. Upton, whose
 “ descendants are now foremost in hostility to the Land League. The second
 “ authority we give is ‘Thorn’s Almanack.’ Those who consult them for the
 “ present year will find that, leaving out the period of the famine, the number of
 “ emigrants which left Ulster from the 1st May, 1851, to the 31st December, 1878,
 “ were 732,807. It will also be found that from the year 1841 to 1871, the
 “ number of holdings above 1 acre and up to 15, decreased by 103,941 in
 “ the province of Ulster. These figures require no comment; they tell
 “ plainer than we can, how dearly the Protestant landlords of Ulster
 “ love the small farmers of Ulster. With these facts before their minds, we
 “ would ask the clear minded, common sense farmers of the North to judge
 “ of landlordism, not by its professions in the present, but by its conduct in the
 “ past. We would ask them to reflect calmly on the future, when, as Mr.
 “ Conisions, United States Consul at Birmingham, states, in an official report to
 “ his own Government, the British farmer, even if rents were abolished, would not
 “ be able to pay taxes and compete with America. This statement of a dis-
 “ interested party, of a Government official to the Government he represents, is
 “ pregnant with meaning to the Irish farmer. It tells plainly that in the near
 “ future landlord and tenant cannot co-exist in these islands. That Ireland must
 “ become one vast pasture land in possession of an idle, extravagant landocracy,
 “ or a land covered with comfortable homesteads—homesteads in possession of
 “ contented, industrious farmers—industrious, because they no longer save that
 “ others may waste; contented, because they no longer toil that others may live
 “ idle. On this plain issue we have taken our stand; on this plain issue we appeal
 “ to the men of the North; we appeal to them as countrymen and brothers; we
 “ ask them to be with us in this great contest; to stand by us in this, the hour of
 “ trial. We ask them to share our labours and our dangers, as, should victory
 “ crown our efforts, and crown them it must, we would ask them to share in the
 “ benefits and in the glory of our triumph.”

(*The President.*) When was that issued?

(*Sir C. Russell.*) My Lord, about two months after the formation of the League. I cannot give you the exact date, but at the end of 1879 or at the beginning of 1880.

(*The Attorney-General.*) There is no date to that.

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(*Sir C. Russell.*) That is the date. My Lord, I think I am justified in saying that if this was a criminal conspiracy it certainly has features about it which distinguish it from every criminal conspiracy the world has ever known. It is open; it is public; its programme, whether you agree with it or not, is not a wicked programme. There is no concealment about its aim. There is no concealment about its meanings. It is true that one large and influential class in Ireland did not at the earlier stages join that movement in great strength. I mean the Catholic bishops and the Catholic priesthood. A very large number of both were its friends from the first, but when it became manifest, after the rejection of the Compensation for Disturbance Bill, to which I yesterday referred, that Parliament could do nothing to interpose its protection over the tenant class, then in all their strength, and in all their fullness, the clergy of Ireland, of all ranks and conditions, with hardly an exception, even amongst its higher hierarchy, gave their sympathy and their support to this movement.

Now, my Lords, one observation, one suggestion may possibly be made. Of course one might naturally apprehend difficulties from every popular movement of the kind, and one may apprehend perhaps, especially in a movement which addresses itself to the personal interests of the class most largely affected, and whose co-operation was most largely sought, that there might be unjust and illegitimate use of the machinery which its organisation unquestionably formed. That, my Lords, is only saying that in every work of reform, for which agitation is necessary, has as its consequence attended these—and I state, in order to meet it fairly, the proposition thus: Is a man—is a body of men who are impressed with the necessity of making a great effort to avert a great impending calamity as they believe—to make a great effort permanently to remove a great social evil—to make a great effort to attack the source and spring from which crime and misery in the past been shown to flow, are they as men, as moralists, are they bound to stay their hands and do nothing?

My Lord, if such reasoning were to prevail, the many crusades against despotism, many an effort to redress human grievances, would not, could not have been undertaken. Even in more settled communities like that of England, there has been no great popular movement, whether it was for reform, whether it was for free trade, whether it was for establishing the rights of the working artisans, to free combination and to joint action, there is not one of these that has not had accompanying it the incidental evils of disturbance and crime.

Perhaps, the noblest vindication of the right of man—of the duty of men to embark upon popular movements, when there is the need for popular movement, and that he is not to be withheld from effort because of incidental consequences that may follow, the noblest and the best work, perhaps—is that written by Mr. Macintosh, afterwards known to the world as a great jurist, Sir James Macintosh.

Your Lordships will recollect that that distinguished man, Edmund Burke, carried away by the contemplation of the grievous excesses which followed the French Revolution, condemned, and strongly condemned, and even attributed to the authors of that revolution all the excesses, the evils, the crime, the misery that followed it; and in *Vendiciæ Galliciae*, in answer to that view of Edmund Burke, Sir James Macintosh puts this question: “Has any moralist ever pretended that we were to decline the pursuit of a good which our duty prescribed to us because we foresaw that some partial and incidental evil would arise from it?”

I have thought it right to make this point, but I would remind your Lordships, even if my argument does not, as I hope it will, carry weight with your Lordships—that you are not here, sitting as moralists to judge of moral responsibility. Your Lordships are here as judges to try a distinct, unequivocal charge of direct complicity with crime. Your Lordships will recollect that the concluding resolution at the meeting of October, 1879, conveyed a request to Mr. Parnell that Mr. Parnell should go to America and make an appeal to the American people in aid of this movement. I am not at this stage going to embark on the consideration of what I may call the American branch of the question. I have referred to it incidentally as it occurs in the order of time, and only in that way.

Mr. Parnell did, in the end of the year 1879, go to America. He addressed many meetings. As already appeared in part, but will appear in fuller detail later, he had an unparalleled reception. All classes in that great community received him, listened to him with sympathy, extended to him practical aid. He had the rare honour of

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being allowed to address the Representative House of Legislature in America at Washington. Before his departure from America—on the very eve of his departure—he gathered together round him in New York a number of men representative of various shades of political opinion in America, and of various shades of political opinion in relation to Ireland; and I again repeat that the principle—the right and just principle, as I submit—upon which he proceeded was to exclude no man, whatever his antecedent political opinions or political action had been, from joining the movement who proposed his willing his willingness to join in the movement and undertook to give to it honest service in support of the cause.

I would remind your Lordships again of the description given by no friendly pen of what the composition of that American Land League was. I say no friendly pen, because his writing forms part of the libel in this case—I mean Mr. Bagenel. Speaking of the League, he says in “The Irish in America,” after stating that without the assistance of American princes and gold the agitation would not have started, and so on, he goes on:—

“The Land League is there supported by every class of Irishmen. The organisation represents to them according to each man’s political creed, the symbol of his national pride, or the instrument of his national revenge. All Irish societies have supported with their dollars this new departure in Irish politics. ‘From the skirmishers’ of O’Donovan Rossa stamp, who hope to make the Irish Land League subservient to their own ends, up to the president of the Land League in America, Mr. Collins, a thoughtful, intelligent lawyer in Boston city; from the miner to the merchant, all contributed their money to the common idea, namely, that of obtaining at the very least for their native country the same privileges which each state in the Union possesses in relation to the central government of America.”

Now, my Lords, I ask this question—Is it to be expected, is it in reason to be expected, that in invoking aid to such a movement as this Mr. Parnell was to require a certificate of previous political conduct from each man who came into his movement? Was he to require some kind of test oath that the man who came into a movement perfectly open, perfectly legal, perfectly justifiable in its objects—objects which have since become part of the policy of the Government of the day—that he was to inquire and be expected to search into the previous history and character of these men? He would be more than human, he would be less than a leader to take any such course as that. Was he to refuse their assistance in money? The taunt has often been levelled, scornfully levelled, at the Irish Party because of their poverty, and because they had to rely in great measure upon the help and support of the scattered kindred of their nation in other countries. Was he to refuse their help? Was he to say to them—You are giving me this money for a purpose, for an organisation over which I have control, yet I decline to receive it because you, whose hands present it to me, have been mixed up in previous, or may now be concerned in some previous political scheme with which I have no sympathy, and in which I can take no part. Did the Irish landlords scorn American money? Did the Irish landlords, when money was coming in hundreds of thousands, as it has come, from the sons and daughters of the tenant farmers of Ireland left behind, helping them to eke out a miserable existence at home, helping them to discharge the burthen of oppressive rents which they could not make out of the land; in those days did the landlords scorn the American money which came from these sources, and which went into their pockets?

Your Lordships have heard the evidence of one interested witness, whose evidence I shall deal with hereafter at length, and whose evidence I regard, in one branch at least of it, as the most important to the right understanding of Mr. Parnell’s position that has yet been presented in this Court—I mean the evidence of the spy Le Caron, or Beach. Your Lordships have already heard from him of certain unconstitutional movements with which the Irish in America have been mixed up. The raid on Canada, the Fenian movement, the strength and the breadth of which your Lordships have even yet had no adequate idea presented to you. When Le Caron tells us that the U. B. or V. C., or whatever it is to be called, in 1885 and 1886 had dwindled down to something like 18,000, but after the rejection of Mr. Gladstone’s policy of reconciliation, as it has been called, rose again to 24,000 in the years 1886 and 1887, and is to-day more

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powerful at those figures than it had been before, how ridiculous and puny such an organisation seems side by side with the Fenian organisation, which, at the very lowest computation, in America had, in 1865-66, numbered between 200,000 and 300,000!

My Lords, Mr. Parnell will receive credit in due time. The gratitude of communities to public men is often melancholy in its retrospectiveness. It is not always that the merits of men are recognised in the day in which they live and in which they act. Their motives are misconstrued. Their aims are misrepresented, and within the last few days we have had a notable example of what one may call the posthumous gratitude of a nation, when by the grave of one of the greatest men whom this generation has seen in England, the loudest and the shrillest notes in the *keene* of mourning which went up and came from men who had spent their lives in denouncing the character, in villifying the motives, and in doing all they could (puny were their efforts) to bring infamy upon the head of that distinguished man, John Bright.

History is full of examples such as that. And I doubt not that the day will come (I think it is coming rapidly) when, through the mists and prejudice which now surround his actions and public life, Mr. Parnell will be recognised as having played the part of a statesman, and though working for and in the name of Ireland, rendering true and loyal service to England by bringing together something like a reconciliation between two peoples who have been kept apart, but between whom there never has been, and is not to-day, just cause of quarrel or of difference.

My Lords, Mr. Parnell returned from his American visit, called back by the urgency of the election of 1880, and upon his return a meeting was held in the Rotunda, Dublin, which has already been referred to; and I am sure your Lordship will pardon me for again calling attention to it, because it shows the enormous difficulties with which Mr. Parnell had undoubtedly to contend. He has the credit of having brought the Irish in America first into open concert with an open constitutional movement. He has the credit also of doing the same with a portion of the Irish people who looked (and it is not unnatural that they should have done so) with distrust and with no hope of redress or benefit coming from any such movement. On the 29th of April, 1880, the following programme of Parliamentary Land Reform was prepared to be submitted to a land conference proposed to be held at that time, this being a conference called by the Land League, and the programme of Parliamentary Land Reform being formulated by them. I regard this, my Lords, as an important document. I would ask your Lordships therefore to allow it now to be read.

“ PROGRAMME OF PARLIAMENTARY LAND REFORM

“ TO BE SUBMITTED

“ TO LAND CONFERENCE

“ ON THURSDAY, 29TH APRIL, 1880.

“ THE LAND ACT OF 1870.

“ In 1870, Parliament, considering it ‘expedient to amend the law relating to the occupation and ownership of land in Ireland,’ passed what is known as the Land Act. This Act had for object—(1) To provide for the tenant security of tenure; (2) to vest in him the property which he created in his holding by the expenditure of his labour and capital; and (3) to enable tenants to become the owners of their holdings.

“ To give effect to these objects provision was made to compensate for disturbance tenants evicted by the act of the landlord: to compensate for the loss of their improvements, tenants voluntarily quitting their holdings or evicted for non-payment of rent, and to empower the Board of Works to advance money to tenants for the purchase of their holdings, where landlord and tenant had agreed for the sale of same. Has the Act succeeded in giving effect to the intentions of its authors? Has it established security of tenure for the tenant

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“ farmers of Ireland? Has it secured to them the property which their industry
 “ and capital may have created in the soil. Has it prevented the arbitrary
 “ increase of rent? Or has it, even to a limited extent, established a Peasant
 “ proprietary? To these questions, we regret, there is but one answer—the Land
 “ Act has failed. The experience of the last ten years justifies this assertion.
 “ Within that period tenants have been capriciously evicted, rents have been
 “ arbitrarily increased, and improvements have been confiscated as if the Act
 “ never existed. To check, if not to render impossible, eviction under notices to
 “ quit, provision was made (sec. 3) that where a tenant is ‘ disturbed by the act of
 “ the landlord’ the court having jurisdiction in the matter may award him com-
 “ pensation for the loss of his holding. The sum to be so awarded is subject to
 “ certain limits prescribed by the Act left to the discretion of the chairman (now
 “ the county court judge). For example—where a holding is valued at
 “ 10*l.* annually or under, the sum awarded ‘ shall in no case exceed seven years’
 “ rent.’ It was soon judicially decided that, according to the wording of the
 “ section, the judge might award the whole scale of compensation, or any
 “ part of it. This discretionary power vested in the court has left the
 “ position of the tenant farmer more precarious than ever. In most
 “ cases he could not even hazard a guess as to what his rights were as
 “ to what his compensation (if any) might be. In the adjudication of claims
 “ everything depends upon the skill and moral constitution of witnesses—upon
 “ the ability and uprightness of the judge. Where one chairman—a man of broad
 “ views, uninfluenced by class prejudices—might grant ample and fair compen-
 “ sation—a sum sufficiently large to deter a landlord from evicting his tenants—
 “ another, perhaps of narrow mind, and one who owed his appointment to landlord
 “ patronage, would allow no actual compensation whatever. To this inequality
 “ of justice, and to the risks and expenses which a tenant should undergo in order
 “ to assert his rights, may be attributed the failure of the Land Act to secure to
 “ the ‘ industrious occupier the benefits of his industry,’ and to protect him in
 “ quiet and peaceable possession of his home.

“ MR. BUTT’S BILL.

“ The Land Act having failed to settle the Irish Land Question, a Bill was
 “ introduced into Parliament by the late Mr. Butt, which, it was alleged, would
 “ ‘ enable occupiers to hold their lands upon tenures sufficiently secure to induce
 “ them to make improvements.’ The advocates of this measure contend that the
 “ Bill, if passed, would “ root the tenant farmers in the soil,’ by establishing fixity
 “ of tenure at fair rents.

“ ‘ Fixity of tenure at fair rents’ is, no doubt, an attractive phrase, but its
 “ only merit is, that it is attractive. Let us examine it as a proposed solution of
 “ the land question—and first as to ‘ fair rents.’ How is the fairness or unfairness
 “ of rents to be determined? For an answer, we must appeal to part 3 of Mr.
 “ Butt’s Bill, wherein provisions are set forth purporting to enable ‘ the occupiers
 “ ‘ of land to obtain certain and secure tenures.’ Clause 33 of the Bill provides
 “ that the chairman shall give to a tenant a ‘ declaration of tenancy,’ and shall
 “ therein specify the rent to be paid by him in respect of such premises.
 “ Clause 45 provides that when the landlord and tenant shall not agree upon the
 “ rent to be so specified, ‘ the same shall be left to the decision of three
 “ ‘ arbitrators.’

“ Now, how is a tenant to obtain a ‘ declaration of tenancy,’ specifying the
 “ rent which he is to pay for his holding? How is he to obtain the benefit of
 “ Mr. Butt’s measure? By bringing an action against his landlord! In the first
 “ place, he should serve notice of claim upon the landlord, then file this claim, as
 “ claims are now filed under the Land Act, and when the claim was so filed, the
 “ case as between landlord and tenant would be ripe for hearing. The judge is
 “ empowered to specify in the declaration of tenancy the rent as fixed by the
 “ arbitrators. But, suppose the landlord is dissatisfied with the rent so fixed, he
 “ may appeal to the assizes, and should the decision of that tribunal be adverse,
 “ he may bring the suit to the Court of Land Cases Reserved. Nor is that all;

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“ for even when a declaration of tenancy is obtained the landlord would have the right to apply to a court of equity to set aside the said declaration of tenancy on the ground of fraud (clause 42).

“ From the foregoing it appears plain that no tenant could derive any benefit from Mr. Butt's Bill unless he had plenty of money to spend in litigation. To obtain a declaration of tenancy, even if no appeal existed, a solicitor should be employed to prepare notices, a civil engineer to survey the holding, experts to value the improvements claimed by the tenant, and witnesses as to the time of occupancy should be procured. Then there would be the expenses of the hearing, solicitors' costs and counsels' fees. Where could the tenant-farmer be found (unless, perhaps, a rich grazier) who would venture to obtain security of tenure at the risk and expense of legal proceedings as above set forth? Where is the small tenant (and there are in Ireland 320,000 holdings valued under 8*l.* a year, of which 175,003 are valued under 4*l.*) to whom such proceedings would not bring certain ruin? We feel convinced that of the 600,000 tenant farmers in Ireland not more than 100,000 would be able to pay the costs necessary to obtain a declaration of tenancy; and even this minority, having secured such declaration of tenancy from the court after tedious and expensive litigation, would reap therefrom a very dubious benefit.

“ Suppose a declaration of tenancy obtained, the rent fixed for 21 years, would the tenant thereby be secured against eviction? If the rents had been fixed in all Ireland three years ago, what would be the position of the tenant farmers to-day in face of the fall which has taken place in the value of farm produce? If rents were fixed to-morrow, what guarantee is there that increased foreign competition would not cause a still greater fall in the value of land? And yet the advocates of fixity of tenure would tie the tenants of Ireland to conditions in regard to rent which would in all probability bring about their ruin. We cannot, then, undertake the responsibility of recommending Mr. Butt's Bill as a settlement of the land question, nor can we conceive any permanent measure having for its object the adjustment of rents as between landlord and tenant which, to the tyranny of the rent office, would not add the uncertainty and peril of the court of law.

“ PROGRAMME FOR CONSIDERATION OF CONFERENCE.

“ Feeling convinced, ~~then~~, that it is inexpedient to maintain and impossible to amend the present relations between landlord and tenant, the question presents itself what measure of land reform do the exigencies of the situation demand? The land question in Ireland is the tangled heritage of centuries of one-sided class legislation, the successful solution of which will necessitate the greatest care and investigation, together with an anxious desire to do right on the part of all who approach its consideration. Time will be needed by the present House of Commons to inform itself as to the merits of a question which is only just commencing to be understood in Ireland, and is scarcely understood at all in England.

“ PROVISIONAL MEASURE FOR SUSPENSION OF POWER OF EJECTMENT, &c. FOR TWO YEARS.

“ We, therefore, recommend as an *ad interim* measure, in view of the desperate condition of the country, until comprehensive reforms can be perfected, that a Bill should be pushed forward with all speed, suspending for two years ejectments for non-payment of rent, and for overholding, in the case of all holdings value at 10*l.* a year and under, and suspending for a similar period of two years in the case of any holding whatsoever the right of recovering a higher rent than the poor law valuation.

“ PROPOSALS FOR PERMANENT REFORM.

“ Next, as to the permanent reform of land tenure in Ireland, we are of opinion that the establishment of a peasant proprietary is the only solution of the question which will be accepted as final by the country. The Land Act

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“ created, as between landlord and tenant, an irregular partnership in the ownership of the land, giving to the former a right to rent for his interest in the soil, and to the latter a right to compensation for the loss of his property therein. Now, we venture to assert that this system, whereby two opposing classes have valuable interests in the same property, must cease to exist. The well-being of the State, the preservation of the people, the peace and prosperity of the country, demand the dissolution of a partnership which has made financial ruin and social chaos the normal condition of Ireland; and the time has arrived when Parliament must decide whether a few non-working men or the great body of industrious and wealth-producing tillers of the soil are to own the land.

“ CREATION OF A DEPARTMENT OF LAND ADMINISTRATION FOR IRELAND.

“ To carry out the permanent reform of land tenure referred to, we propose the creation of a department or commission of land administration for Ireland. This department would be invested with ample powers to deal with all questions relating to land in Ireland:—

“ 1. Where the landlord and tenant of any holding had agreed for the sale to the tenant of the said holding, the department would execute the necessary conveyance to the tenant, and advance him the whole or part of the purchase money, and upon such advance being made by the department, such holding would be deemed to be charged with an annuity of 5*l.* for every 100*l.* of such advance, and so in proportion for any less sums, such annuity to be limited in favour of the department, and to be declared to be repayable in the term of 35 years.

“ 2. Where a tenant tendered to the landlord for the purchase of his holding a sum equal to 20 years of the poor law valuation thereof, the department would execute the conveyance of the said holding to the tenant, and would be empowered to advance to the tenant the whole or any part of the purchase money, the repayment of which would be secured as set forth in the case of voluntary sales.

“ 3. The department would be empowered to acquire the ownership of any estate upon tendering to the owner thereof a sum equal to twenty years of the poor law valuation of such estate, and to let said estate to the tenants at a rent equal to 3½ per cent. of the purchase money thereof.

“ 4. The department or the court having jurisdiction in this matter, would be empowered to determine the rights and priorities of the several persons entitled to or having charges upon, or otherwise interested in any holding conveyed as above mentioned, and would distribute the purchase-money in accordance with such rights and priorities, and when any moneys arising from a sale were not immediately distributable, the department would have a right to invest the said moneys for the benefit of the parties entitled thereto.

“ Provision would be made whereby the Treasury would time to time advance to the department such sums of money as would be required for the purchases above mentioned.

“ EASY TRANSFER OF LAND, COMPULSORY REGISTRATION, &c.

“ To render the proposed change in the tenure of land effectual, it would be necessary to make provision for the cheap and simple transfer of immovable property. To effect this an organic reform of the law of real property would be requisite. The Statute of Uses should be repealed, distinctions between ‘legal’ and ‘equitable’ interests abolished, and the law of entail swept away. In short, the laws relating to land should be assimilated as closely as possible to the laws relating to personal property. The Landed Estates Court would be transferred to the Department of Land Administration, its system of procedure cheapened and improved. In each county in Ireland there would be established a registry office wherein all owners of land would be compelled to register their

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“ titles, wherein also would be registered mortgages and all charges and interests
 “ whatsoever. Titles so registered (in accordance with rules provided for the
 “ purpose) would be made indefeasible.

“ With such a system of registration established and legal phraseology in
 “ conveyancing abolished, a holding of land might be transferred from one owner
 “ to another as cheaply as a share in a ship or money in the funds, and thus no
 “ apparent obstacle would stand in the way of the Department of Land Adminis-
 “ tration from carrying out the reforms which we have suggested, reforms which,
 “ it may be hoped, will bring prosperity and contentment to an impoverished and
 “ distracted country.

(Signed)

“ CHARLES S. PARNELL.

“ J. J. LOUDON.

“ A. J. KETTLE.

“ WM. KELLY.

“ PATRICK EGAN.”

I think your Lordships will agree that that is certainly a remarkable document to be issued by a band of criminal conspirators. In part it unfolds a great scheme of land reform, a portion of which is applicable to England as well as to Ireland, and a portion of which has been struggled for for years by a number of land reformers in this country. A portion of the scheme is directed to a temporary stay in the crisis through which the country was then passing of the right of eviction, leaving untouched the ordinary rights which ordinary creditors have against their debtors, leaving those rights to the landlords as creditors of their tenants to proceed by either process of law, or if they are so minded, to distrain; but directed to a temporary stay of eviction and of eviction only; that being the scheme which yesterday in connexion with the Compensation for Disturbance Bill I pointed out to your Lordships was formally introduced in the House of Commons at the instance of the Land League by Mr. O'Connor Power, then one of the members for Mayo, and the principle of which was afterwards adopted by the Government of the day and passed by the second reading of the Compensation for Disturbance Bill through that House.

In connexion with that Bill, I have to mention one other incident not unimportant. I pointed out yesterday the need in the interests of public peace in the opinion of the Irish Secretary, Mr. Forster, of some such protective measure. I omitted in that connexion to mention that so strongly was he impressed with that necessity that he originally tacked what afterwards became the Compensation for Disturbance Bill as an additional clause to the Bill known by the name of the Relief of Distress Bill, but which was in truth, as I pointed out more directly and more immediately, a Relief of Landlord Bill. I mean the Bill which enabled the advance of 1,100,000*l.* out of the surplus Irish Church funds to the Irish landlords with no interest for two years, and after that date at two per cent. only. I was a misfortune, I think, that that course was not persevered in, because undoubtedly it would have offered an inducement to the powerful party in the House of Lords, who ultimately rejected it, to have passed it, provided it was made a part of and dependent upon the Relief of Distress Bill.

Further your Lordships will observe that that programme of reform points to the creation of an occupying proprietorship upon lines now adopted I might almost say by both parties in the State. And it proposes terms of settlement that the landlords to-day would be only too glad to accept. But they have missed their opportunity, an opportunity which they are not likely, unless indeed there be a revolution in prices, to get again. But this was offered to them, pressed upon them, pressed upon the public by the representatives of the Irish people, backed up with remarkable unanimity by the Irish people themselves, at the instance of men who are sought to be stigmatised here as disturbers of the peace, who do not desire the contentment of their country, because forsooth, they live upon agitation.

Your Lordships will observe, or may have observed, that there was one name wanting in that programme. It is the name of Mr. Michael Davitt. In the Land League movement, as in every movement, there is a section more advanced, and there is a section less advanced. Mr. Davitt belonged to the more advanced section, and he thought (and subsequent events have justified his judgment) that the terms offered to the Irish landlords in that programme were too favourable. He thought that the

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terms offered to the Irish landlords in that programme were terms which the Irish tenants would not be able successfully to carry through and fulfil. And he did desire, and he does desire, that the settlement of the question shall be thorough in the sense not only that it shall be just, but that it should be upon such a basis as to afford a reasonable belief that the obligations undertaken by the tenants, with a view to the acquirement of their proprietary interest in the soil, shall be faithfully carried out and observed.

My Lords, following that programme was the discussion of it in public conference, and on that occasion Mr. Parnell made a speech, the date of which your Lordships have, the 29th April. It is not long, and even if it were long I should feel bound to trouble your Lordships with it.

(*The President.*) It is the speech of the 29th April.

(*Sir C. Russell.*) The programme was published before the 29th April 1880, but was to be considered at a meeting and the conference held on the 29th April, and on that day Mr. Parnell made the speech I am about to read: "In proposing this first resolution"—which was one addressed to the *ad interim* measure—the stay of evictions—my Lords, I am reminded I ought to have said that it did embrace the suspension for a temporary period of two years and other rights of recovering a higher rent than the poor law valuation.

(*The President.*) You mean that it did not leave the right to distrain.

(*Sir C. Russell.*) It did leave the right to distrain and to sue up to the limit of the poor law valuation.

"In proposing this first resolution I think that I may assume that, however we may differ as to the best method for obtaining a final solution of the land question, every one will admit that it will be impossible to obtain this final solution in the two months that yet remain of the present session of Parliament, and that consequently one of the most practical things to which we can devote our attention to-day will be the devising of some measures by which we can prevent the great distress and social disturbance which must result if something is not done to check the unbounded power which the law gives to the landlord over the tenant at the present moment. You will observe that this resolution deals with two classes of tenants. First of all, a class of tenants who are valued at 10*l.* a year and under; in their case it proposes that the right of ejectment for non-payment of rent should be suspended for two years; and as regards tenants over 10*l.* a year, it proposes that no higher rent than the ordinance valuation should be recoverable during a similar period of two years. I find that there are in Ireland about 320,000 holdings valued under 8*l.* a year, and of those 175,000 are valued under 4*l.* a year, and it happens that it is just this class of tenants that Mr. Gladstone's Land Act accords the greatest inducement to the landlord to get rid of, and to seize the present crisis in agricultural matters for the purpose of getting rid of them under Mr. Gladstone's Land Act—"that is the Act of 1870—"tenants valued at 10*l.* and under, if disturbed by the act of the landlord, were entitled to seven years rent as compensation."

That is not strictly so; that was the maximum for which compensation could be given, not that they were entitled to it. Then there is an interruption by the O'Donoghue, M.P., who asks whether there may be an opportunity of moving an amendment to the resolution. Then Mr. Parnell proceeds—

"Perhaps I might explain to my honourable friend it is perfectly competent for anyone to move an amendment to this resolution or substitute a resolution for it; the Land League invites and desires full discussion. This conference has been brought together for the purpose of consultation, and the Land League does not desire in assembling the gentlemen composing this conference to tie them down to the programme it puts before the conference. It was our duty to prepare a programme; a committee was appointed for that purpose, and published the programme so prepared on Monday last; it has now been before the country for several days, and we trust and hope that one of the results will be that a very full discussion will take place as to the propositions made by the committee of the Land League. Now, I was just saying that in the case of tenants valued at 10*l.*

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“ a year, and under the Land Act provided that if ‘disturbed by the act of the
“ landlord, the Chairman may award to such tenant seven years’ rent in lieu of
“ compensation, in addition to sums for permanent improvements; but if such a
“ tenant be evicted for non-payment of rent, he loses all claim to this seven
“ years’ compensation for disturbance, and he is entitled to only whatever the
“ Chairman may award him for permanent improvements. Now, Mr. Chairman,
“ it is just this class of tenants who are most stricken to the ground by the
“ present calamity; many of them are in a state of starvation and unable to pay
“ any rent at all, and if the landlord is left in full possession of the rights which
“ the Land Act of 1870 gives him, and if he proceeds to exact those rights, the
“ result will be, in the West of Ireland, during this coming autumn and winter,
“ scenes which we all must shudder to look forward to, and therefore I think that
“ one of the first duties of the land reformers should be to place the Legislature in
“ possession of the circumstances affecting these 320,000 small tenants, to point out
“ their situation and to place before the Legislature a method whereby time may be
“ obtained for a solution of this question, and the frightful evils which we anticipate
“ will follow. We don’t desire more than an Act suspending the ample powers
“ which the law at present gives in the case of these small tenants. I,
“ myself, think that no Land Act can reach the case, no permanent Land Act
“ can reach the case, of the majority; many of them, perhaps the majority, are
“ crowded upon small holdings of poor lands in the West of Ireland, holdings on
“ which, in the best, of times they can scarcely earn a livelihood, and pay the rent.
“ As a matter of fact, they have not been paying the rent out of their land, they
“ have been paying it by working as day labourers in England and Scotland for
“ other farmers, or by working for larger farmers in their own neighbourhood.
“ And the question as to how these 320,000 tenant farmers are to be dealt with in
“ a permanent enactment is one that requires the greatest consideration and care.
“ I say, then, protect these people for a year or two until the Legislature has had
“ time to give that consideration which we may assume it is willing to give to
“ their case. Then the second part of the resolution deals more particularly with
“ tenants valued at a higher rate than 10*l.*; it suspends for a period of two years
“ the right of recovering a higher rent than the poor law valuation. Now I think
“ everybody will agree with me that the poor law valuation is at the outset the highest
“ rent any tenant can afford to pay. Save under very exceptional circumstances,
“ there are perhaps some of the rich grazing lands which reach a higher value than the
“ poor law valuation, but speaking as a general rule of holdings valued over 10*l.*
“ throughout Ireland, I think everybody will admit, landlords and tenants,
“ that a higher rent than the poor-law valuation cannot be paid under the
“ present circumstances for such holdings. In fact, I believe that many landlords
“ have already throughout Ireland reduced their rents to this valuation, and I am
“ sure we shall not be accused of asking anything very exorbitant when we ask
“ that until Parliament has had time to investigate this difficult land question,
“ this class of tenants, who have a large property, many of them invested in their
“ holdings, valuable stock and so forth, should be protected from those landlords
“ who desire to run counter to all dictates of common sense, by desiring to exact
“ a higher rent than the poor law valuation.”

My Lords, how does it come that these documents have not been presented before your Lordships? If this case were to be fairly presented in a broad and just and a statesmanlike fashion, how comes it that all these documents, I think I must be right in saying, have come as a revelation upon your Lordships? My Lords, nothing but party animosity; the judgment of men distorted by prejudice, carried away by the desire and impulse of blackening the character of political opponents can account for the way in which the Attorney-General has been imperfectly instructed in the presentation of this case. I think it is a grave matter. I take leave to say it is a grave scandal.

Now, my Lords, I shall ask your attention for a moment or two, first of all so far as the published declarations of this League are concerned. I submit that it is an organisation legitimate in its object, legitimate in its means. I think either of those propositions will not be gainsayed. It proposes whether your Lordships agree with the scheme or not, a comprehensive mode of dealing with the Irish land difficulty.

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Whether your Lordships agree with it or not, of course upon that your Lordships are called upon to express no opinion, every man in the country, any combination of men in the country, had a perfect right to formulate that programme, and to put it for consideration and report before the country.

Now as to its means. For the moment I am dealing with its avowed means. Is there anything in those rules that have been read, in the programme which I have read, which points to the use of illegal means? I say, nothing—I submit, nothing.

I will deal with the allegations as to the means which were in fact used, presently. I am dealing with the avowed objects, the avowed means, at present. If I am so far right, my Lords, it follows, that if this case is to be tried by the test of conspiracy, that no man who give their adhesion to this scheme propounding those objects and those means would be party, by mere membership of the League, in a criminal conspiracy.

I hope your Lordships follow the emphasis I lay on the words, “by mere membership of the League.” Of course, if beyond that, apart from its avowed objects and its avowed means, individuals, or a combination of individuals, resort to the use of criminal means, they are liable for that resort to criminal means, but they are not liable merely by reason of their membership of the League so established, and with the object of advocating such measures.

Your Lordships will recollect that in those rules there are rules excluding persons who take the part of what one may call the landlords’ side—who play the part of evictors, who assist at evictions, who take the farms of those evicted, and so forth. That is perfectly legitimate—perfectly proper. They have a perfect right to say, we shall allow no landlord, no bailiff, no process-server into our ranks—we shall allow no man who, in this great national movement, is showing such a want of regard for his own selfish ends, and the general interests, as to be a party to a proceeding which, of course, would paralyse the protective efforts of the League by taking the farms from which men have been evicted, as the rulers say, “because of inability to pay an excessive rent.”

But one other thing, my Lords, I must say. I desire to deal, your Lordships, I am sure, will understand, thoroughly and candidly with the whole matter. It must be admitted that prominent members of the League have advocated boycotting.

My Lords, in this matter of boycotting, may I be forgiven for using the celebrated exclamation of Dr. Johnson, and say; “Let us clear our minds of cant.” Boycotting has existed from the earliest times that human society existed. It is only a question of degree. Up to a certain point, boycotting is not only not criminal, but I say is justifiably right. For, what does boycotting mean? It means the focussing of the opinion of the community in condemnation of the conduct of an individual of that community who offends the general sense of propriety, or offends against its general interests. Is there no boycotting at the bar? Is there no boycotting in the other professions; Is there no boycotting in the church? Is there no boycotting in politics? Is there no boycotting of tradesmen in election times? What is the meaning of “Sending a man to Coventry?” I say that boycotting, so long as it represents—I am not justifying intimidation, I am not justifying force, I am not justifying violence in connexion with it; those are different things. I am talking of an act of moral reprehension called boycotting, and I say it always has existed and always will exist.

My Lords, if I were to search ancient records, historical, sacred records, I could point to many instances of boycotting; but I need not go so far back. We have had in our days very remarkable instances, not only of boycotting, but effective boycotting and useful boycotting. What were the actions of our great colonies when the ill-judged policy of this country sent them the criminal population, the scouring of the old world, as the rotten seed from which their fresh population was to spring. What did they do? Why they simply boycotted the government officials in Australia. The most notable instance of all was in the Cape Colony, where they boycotted the governor, declined to serve him, declined to supply him with horses, declined to supply him with provisions until the objectionable ship which was importing and seeking to land the offscouring of this nation, took its wretched burthen to another place.

My Lords, I say more. That apart from intimidation, apart from violence, individual boycotting, or boycotting in combination is neither actionable nor criminal, unless it takes place under circumstances which would warrant a jury in finding as a fact that the object was not merely reprehension of supposed misconduct, but that the object was to

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injure the individual against whom it was directed. If men may combine for the protection of their own interests, I ask, why, in the name of good sense, may they not combine to denounce, to reprehend, to condemn the conduct of those who act in a way which they believe to be inimical to their best interests.

I will deal of course with the allegation of violence hereafter and of intimidation. But, my Lords, I say broadly and at once, that, as regards cases put before this court in evidence, of instances which began and which ended in boycotting, except a passing reference or two, I shall trouble the court with no argument whatever. It is not the case which this Commission was appointed to try. Nobody will allege it. The case that this Commission was appointed to try were certain charges and allegations, the point, the force, the pith of which were charges of direct complicity with crime. Of course, I must meet, and will meet by an examination of the evidence the suggestions put forward, and I shall demonstrate that the suggestion is not well founded upon the facts; I shall deal with the case that is put forward, that the sanction of boycotting was outrage and murder, and I shall examine with care and will ask your Lordships' attention in following me with care the examination of these cases, and of the evidence upon which that suggestion is sought to be supported.

But again I say, and I wish to impress this upon your Lordships' minds, that while I admit in these cases that boycotting has occurred to an extent which in many, or at events in several proven cases is to be condemned, to be regretted, and which I do not seek to defend or to justify.

I would again remind your Lordships that, if I am right in the proposition that I have laid down, that those only are liable as conspirators in joining the Land League movement, for the programme of means and objects which the Land League adopted, then those considerations as regards individual cases are considerations which may determine the view which your Lordships take of the conduct of the persons so offending, but does not justify your Lordships in applying to that conduct, and in relation to other persons the doctrine of vicarious responsibility.

Further, as regards denunciations and land-grabbing. I shall deal with those presently—I am afraid I cannot say presently—but I shall deal with those when I come to the consideration of the evidence; but I do wish to make my submission clear to your Lordships' minds that if it was necessary, or it is enough for me to say if it was justifiable, for the tenants to combine for their own self-protection, then it was perfectly justifiable, as I submit that they should reprehend, and should blame, and should denounce persons who, by taking evicted farms from which other tenants had been unjustly evicted—should render to a great extent the power of their combination, because, of course, it obviously follows—Mr. Hancock's evidence is a good illustration of it—I will refer to that in a moment—because it obviously follows that the work of eviction by the landlord is facilitated if he has comparatively nothing to stay his hand in the work of eviction, if the moment he has got rid of one tenant he has got another tenant who would come in and promise to pay him, it may be, an enhanced rent. And this it is, as Mr. Hancock pointed out in the evidence, with which two days ago I troubled your Lordships, the effect of the sanction of the tenant right in Ulster was the reprehension of the community which fixed itself on any man who took a farm from which another had been evicted in disregard of the rights of that other.

My Lords, it has existed (and will exist) in former times in Ireland, and I do pray your Lordships to remember that when the whole of this story, the whole of this record of ten years, is thrown down before your Lordships and laid at the door of the Land League, that it is not presenting the case in a fair way to do that and to do nothing more. To compare ten years of revolution, ten years during a great portion of which there was undoubtedly acute and widespread distress, to compare those ten years with any period of comparative prosperity, for the prosperity of Ireland has been comparative at the best only, and to point to other periods when there was an absence of these things, I say is not a fair way to look at it.

My Lords, the records I have disclosed before your Lordships, establish as clearly as anything this—that every recurrent period of distress in Ireland, when landlords were forcing the exaction of their rights, when there was no Land League to blame, that this boycotting, this land-grabbing, and crimes of a serious kind, have with the recurrent distress again and again recurred.

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[Continued.]

Up to the end of the year 1879, and indeed—and it is rather a significant fact—that up to the date of the rejection by the House of Lords of the Compensation for Disturbances Bill, the Land League in Ireland had made but comparatively little way. It had been taken up eagerly in Mayo, and in part of Galway. But your Lordships will find that as regards the rest of Ireland, it had made but little way. But after the rejection of that Bill, Land League branches sprang up over the whole of Ireland, and I doubt if there was to be found a parish in the whole of Ireland in which there was not a local Land League organisation. The two reasons why it did not spread at first were these: there was hope that the Legislature would interpose some protection, but there was the further and perhaps even the stronger reason, that the Secret Societies from the outset, in large measure at least, opposed the Land League movement. And I am about to call your Lordships' attention to a remarkable illustration of that—two remarkable illustrations of that.

On the 8th of May 1880, a meeting was held in the Rotunda, Dublin, attended by a number of Members of Parliament, and others, with Mr. Parnell in the chair. But before that meeting, and probably in anticipation of that meeting—I know not—there had been issued, signed by the Executive of the Irish Republican Brotherhood, a somewhat remarkable document—the date of that document is March 1880—published in Ireland. It is longer, my Lords, than the passage I am about to read to you, but I spare your Lordships as much as I can.

It proceeds thus:—

“ At a time like the present, when political adventurers and West-Britishers
 “ are scrambling for parliamentary honours, who, in their eagerness to obtain the
 “ coveted prize of a seat in the British Legislature, and playing on the credulity
 “ of many of our countrymen by passing themselves as Nationalists, we consider
 “ it our duty to say a few words to you on the subject. It is inconsistent with
 “ the principles of true nationality for any patriotic Irishman to accept a seat in
 “ an alien Parliament, because by so doing he surrenders his right and the rights
 “ of his country into the hands of men who are opposed to its best interests, and
 “ becomes a participator in the alien system which keeps Ireland enslaved. The
 “ Irishman who becomes a member of it is either the victim of some mental
 “ delusion, a slave, or an enemy. We do not address you merely for the purpose
 “ of reminding you of all this constitutional garotting and plundering of our
 “ country, of which even the ‘bond’ of eighty-three years’ duration affords such
 “ ample evidence, but to prevent the smallest section of our brethren from being
 “ betrayed into active participation in the coming elections by the plausible
 “ utterances or avowals of National principles of any of the candidates, no
 “ matter who he or they may be.”

My Lord, the representatives of those persons did not stop there. They carried out their fruits of opposition into active practice.

(*The President.*) What is the date of that?

(*Sir C. Russell.*) March 1880.

(*The President.*) There was a reference to 83 years.

(*Mr Asquith.*) You mis-read it. It is 80 years.

(*Sir C. Russell.*) I beg your Lordship's pardon. I apparently have mis-read it. It means the duration—since the Act of Union.

(*The President.*) That is what I thought.

(*Sir C. Russell.*) I am obliged to your Lordship for calling my attention to that. But about the same time, Mr. Parnell, accompanied by some other of the present members of his party—and I think this is only one of several instances—went down to the county of Wexford and addressed an election meeting in support of a particular candidate.

The sympathisers with this March 1880 programme attended and broke up that meeting; possessed themselves of the platform, hustled Mr. Parnell and his friends, and with great difficulty they managed, at least in comparative safety, to get back to the railway station.

Other things occurred of the same kind in other places, and surely it would have been right, surely it would have been fair, to have given some kind of inkling to your Lordships of the difficulties in which he, Mr. Parnell, stood, when endeavouring upon a broad, an open, a national platform, to withdraw the adherents of such teaching into a constitutional and into a legitimate movement.

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[Continued.]

My Lord, the meeting to which I refer at the Rotunda is again a significant one. It is published in the "Nation" of the 8th of May 1880, but in fact it was a public meeting which followed the conference of the 29th of April 1880. On that occasion a representative of the Fenian movement manfully, I mean straightforwardly, came forward to propose an amendment. And then followed a scene with which I will not trouble you, but a repetition in the Rotunda of the successful attempt in Enniscorthy to drive the tenants of the platform from their position, and get the control of the meeting. Mr. O'Hanlon sought to propose a resolution, and had got so far as reading part of it.

"That while the Nationalists of Dublin are willing to make any sacrifices (hisses) to the demands of the cultivators of the soil (interruptions) they protest against the deceptive action of Mr. Parnell and other persons who are trying to convert the people from the proper course to independence; and that while some of the greatest statesmen (the whistling and noise rendered great part of the resolution dumb show) . . . the line of action pursued by the National Land League has been injurious and deceptive."

Then Mr. O'Hanlon tore up his resolution, left the platform, and went away.

But my Lords, he wrote to the papers his views the next day, and this is the letter:—

"83, Amiens Street, Dublin,

"April 30, 1880.

"Sir,

"As I did not care that my Resolution should get into the papers I tore it up and threw the fragments on the platform. Since, however, you have published an incorrect copy of it, I have thought you might as well have the exact words of the original. They were: 'Resolved—That, while we, the Nationalists of Dublin, are ready to make any sacrifice to give the land to those who cultivate it, we protest against the deceptive policy of heaven-sent champions, and ex-political prisoners [Mr. Davitt, who had been drummed out of the ranks], who are trying to reduce the people from the straight road to independence into the corrupt and crooked ways by which renegades and persons of questionable character obtain seats in the English Parliament.'"

Then he goes on—

"To read this Resolution as a protest against the misleading and demoralising tactics of a certain clique in the Land League, and then to let the meeting go on as it might, was the only purpose that brought me and my friends to the meeting at the Rotunda on Thursday night. Mr. Parnell, and Mr. Davitt, and others of their party by their dictatorial and high-handed proceedings, were very near forcing us to go further than we had intended. These gentlemen are deceiving the poor peasantry of Ireland for purposes which I will not name, lest I might do some of them injustice; but I ask, how can sane men believe that any English Government will pass the sweeping measures that are demanded by the Land League? It looks as though these land reformers were insisting upon the impossible in order to keep up a delusion which may be profitable to individuals, but is surely ruining the unhappy victims of false hopes and reckless promises. I am, Sir, your obedient servant, Edward O'Hanlon."

My Lords, I confess myself to have some sympathy with Mr. O'Hanlon's expressions from the point of view with which he regarded them. The past history of constitutional agitation had shown but poor results; again and again had sacrifices been made, and still no remedial measures were forthcoming; and then this class of men to which O'Hanlon belonged, embarking it may be on a hopeless and condemnable enterprise,—they carried at least their lives and their liberties in their hands,—and in despair of good by other methods, they had resorted to desperate and condemnable ones. I cannot express my surprise that men should so think of past history. If the fruitless efforts of constitutional redress—that men like him should feel distressed—should feel a want of hope, and should doubt whether the programme of the Land League fulfilled as it is to-day, in great measure, should have thought that that was indeed an impossible task to set for accomplishment before the Irish people by constitutional methods.

I am reminded by my learned friend of one remarkable witness called before your Lordships, I mean the convict Delaney, who was one of the persons at this meeting, taking part with O'Hanlon, but who went on to say—you will see how reliably

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hereafter—who went on to say when the order went out after this meeting in the Rotunda the Fenians were to support the Land League, which came from amongst others, I think he said, Egan, Brennan, and Davitt, Davitt being the man who was held up to reproach as an ex-political prisoner, amongst others.

Then, my Lords, there is a further publication at the same time from the executive of the I.R.B.

There is a postscript to O'Hanlon's letter, by the way, which I did not read—

“ May I ask Mr. Parnell to tell the public what he has done with the 20 dollars he got for lead from some Irishmen in America.”

The further letter from the executive of the I.R.B. is in these terms—

“ Sir,—We respectfully request that you will give insertion to the following in your next issue at the meeting in the Rotunda on Thursday last.”

(*The President.*) Where is this ?

(*Sir C. Russell.*) In the Dublin press. This is from the “ Nation ” of the 18th of May.

“ A few irresponsible and unauthorised individuals undertook the role of protesting against the agitators in the name of the National Party.”

My Lords, at that date the name “ National Party ” appears to have the meaning of a physical force party.

“ Now against the terms of the resolution which was sought to be proposed by the men referred to, we have nothing to say ; we emphatically deny any complicity in the act, and repudiate its identity with the Nationalists of Ireland.”

“ The agitators themselves claim to be Nationalists when it suits their purpose, no matter whether they hold forth in the Home Rule League, the Land League, at the hustings, or that exalted platform, the floor of the British House of Commons. We have borne with their vapourings and false doctrines, as well as their treacherous designs against the freedom and national independence of Ireland, fully aware that the sham of the ‘ new departure ’ would be short-lived, and would, in its final collapse, bring unutterable political ruin to all its promoters.”

“ To this end we are resolved to let them have rope enough ; but, as they are not content with this forbearance, and are occasionally sheltering themselves behind the sacred name of Irish Nationality, we feel constrained to warn them that if they persevere in such a course we shall be obliged to adopt measures that will end their career much sooner than anticipated.”

“ ‘ Thoughts of the painful present and the past

“ Must bring the hour of reckoning at last.’ ”

“ (By Order)

“ Executive of the I.R.B.”

Now, my Lords, I have said, after the rejection of the Compensation for Disturbance Bill, the increase of the Land League branches was rapid and enormous, and I would ask your Lordships to bear in mind in reference to its proceedings, in the consideration of the question of the control which could reasonably be expected of those who were at its head, over its branches that it did not spring like Minerva from the brain of Jove, fully equipped and fully armed. It was long before it came under full and complete discipline. In fact, it had not come under full and complete discipline and control when, as I hope I shall demonstrate, in an evil moment the Government took the course, under circumstances which I will presently explain, of suppressing its action altogether, and placing it in a state of absolutely complete disorganisation.

My Lords, I think I have made at all events sufficiently clear the basis upon which, when I came to examine the evidence, I proceed to argue. I say, in order to make my position clear, that even applying the vague, the loose, the formula of the law of conspiracy, which has never found any definite expression in the Statute Book, that this proposition is sound, that those acting in concert, for brevity called conspirators, are only responsible for the acts of the co-conspirators, where such acts are of a kind and class agreed on by all the conspirators to be done or committed in furtherance of the common design. And unless therefore it can be shown—I say that the evidence utterly fails to establish it—that Mr. Parnell, taking him as an example—that unless it can be shown that Mr. Parnell was

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a party to the use of murder and outrage, as a part of the agreed means and methods of the Land League, he is not liable, criminally or otherwise. I submit at this point that if one of your Lordships were trying this in a criminal court on a charge of direct complicity with crime, there is not, even as the case now stands, any case which your Lordships would think it right to submit, even to a jury for their consideration. And I would remind your Lordships before I come to the consideration of the evidence, of one remarkable and striking fact. It is this. That in every case where there has been proof of outrage, proved by persons who came to swear that they did it in concert with persons who were, or who professed to be land-leaguers, that in every single case without exception, so far as I know, the perpetrators were members of secret societies, and apparently many of them sworn in as members of secret societies, before they were ordered to join in the commission or perpetration of outrages. I do not recall, and I think I am right in saying that there is no exception to that broad general statement I have made, and I will pray your Lordships to dwell upon the significance of that fact, because if the case presented were a true case, namely, that crime and outrage were part of the agreed means and methods of effecting the objects of the conspiracy; if the systematic perpetrators of crime and outrage were one of the agreed instruments of their conspiracy—how comes it that there is not one single case of direct participation in outrage proved—I believe I am literally right—in which the perpetrator is not shown to have been a member of a secret society other than the League.

And, my Lords, that I am not putting the case as presented by the “Times” too high, let me remind your Lordships of a statement, absurd and ludicrous though it be, to which the Attorney-General gave utterance when he told your Lordships that he would prove that, not in one case, or an isolated case, but again and again, that the system was for Mr. Egan, or Mr. Brennan, or Mr. Biggar, as the case might be, to dole out 20*l.*, 30*l.*, 40*l.* in Dublin, which was handed to a person to bring to particular localities, in which particular localities that 20*l.*, 30*l.* or 40*l.* was doled out piece-meal to the actual perpetrators of the outrage. Where did the Attorney-General find his authority for that statement? Who was the informer or who the convict that told that lying story?—for “lying” I must call it—for the Attorney-General has not even ventured to make an attempt to substantiate it. And that I am not putting the case as it is presented by the “Times” too high, let me remind your Lordships of a further ingenious statement of the Attorney-General. He went on to say, “I do not mean to suggest that Mr. Biggar or the others knew the particular person to be outraged, or that they committed the outrage themselves. They had not time.” So that according to the case that the Attorney-General was instructed to present—what instructions! Well, I marvel that it was only upon the principle of a sub-division of labour in this criminal enterprise that Mr. Parnell, Mr. Biggar, and Mr. Davitt had not their own hands stained with crime. My Lords, at page 17, the second day of the Commission, occur these remarkable words:—

“Though the leaders”—the leaders is my paraphrase, I think so—“though the leaders did not themselves go and personally plan the outrages, they could not, because they had not the time—and, of course, would not be connected with it, but their men were doing it for them, and of that system they took advantage.”

And one other passage I think I must read—it is at page 186 of the Commission’s proceedings:—

“I think it will appear,” says the Attorney-General, “that an emissary of the Land League, an agent of the Land League, used to get the money from the treasurer, either Mr. Biggar, or Mr. Brennan, or Mr. Egan, either one of the officials who might be in charge, used to take down the money, 20*l.* or 30*l.*, and, having received the money, of course, from Mr. Biggar or any of the other officials who handed it, used to take down 20*l.* or 30*l.* in the district, and then distribute it locally to the men who were going to carry out the outrages.”

My Lords, what a contemptible case of wretched shreds and patches has been presented to your Lordships in view of such a statement as this. Will an explanation be given of them. Will an apology be made for them? They are directed against colleagues in Parliament whose characters are as dear to them as the Attorney-General’s character is to him. He of course is acting upon instructions. Where are

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the instructions? Who was the witness? What was the evidence against the men, because I take leave to say that statements of this kind are not to be put forward lightly, recklessly, without the closest and gravest examination by any man at the bar, from the highest to the lowest, and I shall look with some curiosity to what explanation is to be given of the fact of these charges broadly, recklessly made, without one single attempt to justify their having been made.

Now, my Lords, I come to the consideration of what was the actual work of the League. The work of the League may be shortly described under two heads as a work of relief and a work of organisation.

As regards the work of organisation, it consisted, first, in the creation of the central executive; next, in the creation of local branches all over the country; next, in the inspection of those branches; composing differences between members of the branches, or between neighbouring branches.

And as regards relief, it was of two kinds. Your Lordships will recollect that one of the Local Government Board inspectors whose reports I read was urging, with a view to the averting of a fresh blight in the potatoes, the necessity for the introduction of a new and healthier seed. The Land League expended and distributed throughout the country in the poorest parts (and were the first to do it) a sum of 10,000*l.* in the purchase of champion seed potatoes, which they supplied to families who in their destitution had, as these reports pointed out as probable, actually consumed such remaining seed potatoes as they had possessed; and they distributed in relief of distress altogether a sum somewhat exceeding 50,000*l.*, in point of fact gathered together as the result of Mr. Parnell's visit to America.

Their further relief-assistance took the form of defending legal proceedings taken against tenants with a view to eviction, and at a later stage, under the operation of an Act, to which I shall have to refer your Lordships presently, known as the Coercion Act of 1881, to the defending of persons charged with various offences, and to the maintaining of persons and the families of persons put into prison as "suspects," as they were called, under the powers of that Act.

In addition to this, there were, of course, meetings as part of the agitation held over the country at various places by members of Parliament and others, and speeches made, some of them wise, some of them, I take leave to say, unwise, some of them (I am glad to say a comparatively small number of them, in my humble judgement) condemnable speeches.

That, my Lords, was the general work of the League. Originally, at its head, as its principal representative in Dublin, was Mr. Michael Davitt, and he continued at its head until he was arrested on the 3rd of February 1881. He had been absent, however, during a portion of that time in America. He returned from America, I think, about the 8th December 1880, and the first act that he did upon that return, in conjunction with the executive of the League, was, upon the 13th of December 1880, to issue this memorandum of instructions to organisers and officers of the branches of the Land League. I may at this moment state to your Lordships that until after the Compensation for Disturbance Bill was rejected no organiser at all had been appointed throughout the country.

In reference to that Bill, to which, I am afraid, I have recurred too often, I would like to make one concluding observation. I have always thought, as I thought at the time it was under discussion in Parliament, that, so far as its practical effect was concerned, it would not have had a very wide application; but its real effect would have been to have conveyed a message of hope to a large class of these small struggling farmers, to have made them feel that the legislature of the kingdom was interesting itself in their concerns, and in that way would have induced them to bear with a greater degree of patience the suffering through which undoubtedly they were obliged to pass.

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This memorandum was in the following words:—

“ MEMORANDUM OF INSTRUCTIONS

“ TO

“ ORGANISERS AND OFFICERS OF THE BRANCHES OF THE
“ LAND LEAGUE.

“ The unprecedented growth of the organisation of the League within the
“ past few months, and the consequent increase in the duties and responsibilities
“ of the executive, necessitate the offering of some suggestions of a general
“ character in reference to the present position of the movement, which, if acted
“ upon, will strengthen its hands in the administration of the League, and power-
“ fully aid in the speedy attainment of the objects for which it was organised. In
“ face of the efforts which are being made to arrest the progress of the movement,
“ by instituting proceedings against members of our body and otherwise, nothing is
“ so essential in the task of frustrating such unjust designs as to convince both public
“ opinion and our enemies that our organisation, from central executive in Dublin to
“ remotest branch in the country, is one thoroughly united body, animated with
“ but one resolve, and working together in harmony like a piece of well-adjusted
“ machinery. Convinced of the power which systematic combination alone can
“ give, the enemies of the Land League will find it an easier and more profitable
“ task to compete with it in the solution of the land question, and in rendering
“ service to our people, than to essay the impossible task of crushing it by the
“ old time-worn weapons of state prosecutions, coercion, and intimidation. Every
“ branch should, therefore, have its monthly report forwarded to the central offices
“ punctually on the first day of each month, together with all subscriptions not
“ required for the ordinary expenses of the branch. Each member of a branch
“ should pledge himself to bring a new member at each meeting, until the people
“ of the district are all enrolled. In the formation of new branches, it is impor-
“ tant to obtain intelligent men for officers, care being taken that no man be placed
“ in position who is not steady, reliable, and trustworthy.

“ Each affiliated branch must communicate direct with the central execu-
“ tive in Dublin (or wherever else it may be necessary to carry on its labours) in
“ all matters relating to finances, reports, and organisation. County centralisa-
“ tion invites dangers and attacks which could not so easily affect a solid, compact
“ body under the complete guidance of a central executive council with the
“ entire resources of the organisation at its control. Disjointed action must,
“ above all, be avoided by branches. Evidence is not wanting that numbers of
“ men have joined, and are joining the League, who give but a half-hearted
“ allegiance to its full programme. It will be the effort of the Government to
“ propose such a measure as will be calculated to satisfy the weak-kneed reformers
“ outside and inside our ranks, who are willing to accept half measures, as God
“ sends, and who are likewise desirous of promoting the sway of Whiggery in
“ Ireland. If men who denounced the programme of the League six months ago,
“ but are now numbered among its members, are allowed to use a single branch
“ of our organisation as a platform of compromise with landlordism, or as a lever
“ of disunion to weaken the power and influence of this great movement, the
“ work of the enemy will have been performed, and a new lease of life be
“ given to that system which otherwise can be crushed and banished from our
“ midst.

“ Organisers and officers of the League, speaking at public meetings or
“ writing to the public press, are expected to enunciate the Land League platform
“ of no compromise or partnership with landlordism, and to repudiate the pro-
“ posals known as the three F's now being advocated by landlord organs, in
“ hopes of saving a doomed system from destruction, and giving fixity of tenure
“ in Ireland to most of those evils which have already depopulated our country,

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“ pauperised our people, and instigated those crimes, which are now being
 “ charged by their real authors upon the organisation which aims at their pre-
 “ vention.

“ In no period of the League's existence was it so absolutely necessary for
 “ the tenant farmers and labourers throughout the length and breadth of the
 “ country to keep a firm grip upon and control over their passions and indigna-
 “ tion at wrongs perpetrated and injustice threatened than at the present hour.
 “ The evil system which has so long been the curse of their families, and exist-
 “ ence is now gasping out its criminal life in face of the whole world—dethroned,
 “ discredited, and on the point of being destroyed by the stern but passionless
 “ action of a united and indignant people through the means of a blood-
 “ less revolution. To consummate its death should be the effort of every
 “ member of the League—to have the civilised world bend back its thumbs
 “ and give sanction to that decree against landlordism should be the aim
 “ and desire of every man upon whom it has inflicted injuries. How is this to be
 “ effected? To show the world that the just use of organised strength is to
 “ remedy present evils, and not to avenge past wrongs—to convince our enemies
 “ that we have at last learned how to evolve out of ourselves, build up, and
 “ control a power which can be directed by judgment and reason in the practical
 “ amelioration of our wrongs and grievances, instead of allowing it to fall a prey
 “ to that intoxication of purpose and unsystematic action which have hitherto
 “ purchased the defeat of the people's cause. To effect this object demands no
 “ sacrifice from any man in our ranks, but that of temper and passion; to see it
 “ triumph requires no action but such as the League points out in its teachings,
 “ and unless—firm and determined attitude in making just demands without
 “ violence—to enforce what intelligent, legal, and resolute combination can obtain.
 “ Enunciation of just principles and motives to convince where intimidation entails
 “ a conflict with law—arguments and motives based upon right and common
 “ good, when born of deep and honest conviction, will be found a more potent
 “ agency in furthering the cause of free land, and helping the League in winning
 “ it for the people, than means which jar upon the public mind and tend to alienate
 “ the sympathy of outside observers. Threatening letters are as unnecessary as
 “ they are stupidly criminal and unjustifiable; and we feel assured that no member
 “ of our organisation has resorted to such a method of making just demands which
 “ invites the stigma of cowardice and clumsily plays into the hands of the landlords.
 “ If a just right cannot fearlessly be demanded by a victim of landlord power when
 “ a powerful organisation is at his back to protect him, he deserves neither a
 “ concession from the landlord nor assistance from the League in obtaining it.

“ In speaking of injuries inflicted upon dumb animals we cannot for a single
 “ instant believe either the numerous reports of these monstrous outrages which
 “ the landlord organs are publishing, or that a single man within the ranks
 “ of our organisation would be guilty of participating in the few cases which
 “ we are sorry to say have been authenticated. No injustice in the power of
 “ Irish landlordism to perpetrate upon our people could justify in the least
 “ degree the unfeeling brutality which inflicts injuries or suffering upon harmless
 “ and defenceless animals, in revenge for the wrongs committed by their owners.
 “ While dwelling upon this painful subject we would point out to the officers of
 “ the various branches throughout Ireland the advisability of informing the
 “ executive of the League of any outrage occurring in the locality, in order
 “ that reliable information may be at hand to correct the vicious exaggeration
 “ given to insignificant occurrences by the landlord organs. Agents of the
 “ Associated Press throughout the country are known to have manufactured
 “ outrages near their districts in order to turn them to account in obtaining
 “ money by feeding the criminal appetite of English readers; and it is
 “ well to remind those gentlemen that while the privileges of the press entitle
 “ them to publish facts and make any just or fair comments thereon,
 “ deliberate concoction of outrages will be looked upon as real outrages
 “ upon the character and name of the Irish people. A fair and judicious use of
 “ the power of combination against the enemies of the people, traitors to the
 “ League, or instruments of unjust eviction or other landlord injustice, will work

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“ the requirements of our movement in the present crisis, without any resort
 “ to means or methods which would offer a pretext for foul play against the
 “ organisation, or estrange the moral support of public opinion outside of Ireland
 “ from a just and noble cause.

“ Respectfully submitting the foregoing suggestions,

“ We remain your obedient servants,

“ THE EXECUTIVE OF THE
 “ IRISH NATIONAL LAND LEAGUE.

“ Offices of the Land League,
 “ 39, Upper Sackville Street, Dublin.
 “ 13th December 1880.”

That was, as your Lordships have heard, published and circulated in December 1880. But again so lamentably deficient have been the instructions of the Attorney-General that his attention has not even been called to that. My Lords, between that day in December and the 3rd February 1881, Mr. Michael Davitt alone, to say nothing of the other speakers whose utterances will hereafter be referred to, attended no less than 25 public meetings, and at every one of those public meetings in strong, earnest language he denounced outrage, and condemned and held up to obloquy their perpetrators. Not one of those speeches has been read in the course of the case for the prosecution. My Lords, I have, and must hereafter call your attention to it, a small volume of speeches by other Members of Parliament and persons taking an active part in this organisation, and yet in face of those facts the Attorney-General was instructed to make these two statements which I will read. At page 73 he said:—

“ Upon the one side I shall put before you affirmative evidence of the
 “ infamous speeches that were being made by many of these men, sometimes by
 “ the leaders themselves, and at other times in their presence; on not one single
 “ occasion do we find the slightest speech, or one single expression directed to
 “ diverting the minds of people from outrage—to diverting them from the acts
 “ which certainly followed, and which to the knowledge of these men followed.”

And again, on the next page (74) these further words (the reference in each case is to the speech in *O'Donnell v. Walter*):—

“ During the whole period of these years there is not, so far as I know, one
 “ solitary speech amongst the thousands delivered in which any one of these men
 “ deprecated the outrages which were undoubtedly going on.”

My Lords, before your Lordships that language has been slightly, but only slightly, modified. On page 44 there is this:—

“ They (that is the leaders), with scarcely an exception, never denounced these
 “ outrages or took any steps to put an end to this which was, if I am correctly
 “ instructed, one of the most cruel tyrannies that ever existed in any country in
 “ the history of the world.

“ Many of those whose names are included in these particulars knew, and
 “ must have known, that sums of money were being paid, not in an exceptional
 “ instance, but over a long period of time, to persons who were engaged in
 “ carrying out the acts of violence and crimes to which I have referred.”

And again, on page 46:

“ No single step is taken to denounce the crimes, or those guilty of any of
 “ these outrages.”

Then on page 50:

“ Probably not on one single occasion may the evidence which I shall lay before
 “ your Lordships as it now stands have to be slightly qualified; but I believe it
 “ will be possible to show that in one or two speeches there is something like a
 “ reference to, I cannot call it a condemnation of the outrages and the crimes
 “ which have been committed, but, at any rate, the statement is true, that in the
 “ vast majority of instances there is language inciting to crime, without the
 “ slightest condemnation of the outrages which followed from the conduct so
 “ directed.”

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Then on the second day of the Commission :

“ Why is it that there is not one single speech, one single attempt made by these great leaders, this great constitutional party, to restrain the Land League ? ”

Your Lordships will recollect one of the earlier witnesses called whose name was O'Malley, a police reporter. He attended, according to his account, some 200 meetings, principally, I think, in the west and south, and his evidence, as your Lordships will find it, at page 468 of the Commission, is this, that denunciations of crime and outrage as a rule occurred in each of these meetings by the speakers and by the priests who attended at those meetings.

I will not repeat, for your Lordships have been good enough to give it an attentive listening, the injunctions contained in those instructions to the organisers. To one point only do I desire to refer, to the point which insists upon the selection for the governing body of the local branches the men of the best position,—I am not giving your Lordships the exact words but the idea—the men of the best position and of the best reliability in point of character and conduct that can be obtained and selected in the neighbourhood. I think that is important upon a broad consideration of the true character of this combination, because, as a matter of fact, as your Lordships ultimately, I think, had it made apparent, the Land League in its organisation practically embodied, at least so far as membership was concerned, by far the great majority of all the people in each of their neighbourhoods ; and in an enormous number of Land League branches the effort was made, and successfully made, to get the parish priest or the Catholic curate of the place to assume the most responsible position in relation to it.

My Lords, can it be for one instant suggested that these men, the priests of the country, the leading men of the neighbourhood, and of their class,—I do not mean magistrates and landlords, but I mean of their class, of tenant-farmers—that all these men were engaged in a criminal conspiracy, and were adopting violent and criminal means and methods for the effecting of their objects ? Unless your Lordships are prepared to cast that stigma and support that accusation against priests and people throughout Ireland, with what show of justice can it be cast upon the men who were at the head of the movement attending to their parliamentary duties, and to a large extent at least occupied by other and different concerns ?

My Lords, the force of that consideration will become, I think, still stronger, when I show your Lordships that in the time of the worst trouble, of the most grievous crime, the action of the Executive had resulted in the complete disorganisation of the machinery of the Land League, in the putting in prison, not merely of the leaders who had the general control of its central organisation in Dublin, but of a large number of its local representative men, its presidents, its secretaries, and its treasurers.

Adjourned for a short time.

My Lords, while Mr. Davitt was engaged in undoubtedly furthering by his presence and his speech the agitation, and at the same time, as I have intimated, honestly and earnestly denouncing crime, he was stopped in that work on the 3rd February 1881. For being at large on ticket-of-leave, his sentence not having expired, he was arrested ; I think the nominal charge being that he had not conformably to his ticket reported himself from time to time. The real reason, I think, cannot be doubted, was something different. He was released on the 6th May 1882. He was re-arrested—I mention this, although it is out of date, to get rid of it—in January 1883, for a speech which he made at Navan, or after a speech which he made at Navan which will be hereafter referred to, and was finally released in June 1883. Therefore, with the exception of the interval between the 6th May 1882, and January 1883, he was in prison from February of 1881 to June 1883.

My Lords, to him succeeded in the headship, if I may so call it, of the Central Organisation in Dublin, Mr. John Dillon. He in his turn was arrested on the 2nd May 1881, released on the 7th August 1881, re-arrested on the 15th October 1881,

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and ultimately released in May 1882. At this time there had passed what is known as Mr. Forster's Coercion Act; that Act received the Royal assent in March of 1881.

To Mr. Dillon succeeded to the headship of the central office in Dublin Mr. Thomas Sexton, Member of Parliament, and now for the second year Lord Mayor of Dublin. He continued very soon after the arrest of Mr. Dillon in May 1881, up to about September 1881, as the head of the Central Organisation in Dublin. In September 1881 he became ill, and while, as I am instructed, still ill he was in turn, on the 14th October 1881, arrested as a suspect under Mr. Forster's Act, and, I think, in consequence of his state of health, was released on the 1st November 1881. To him, Mr. Sexton, in the headship of the central office, succeeded Mr. Arthur O'Connor, Member of Parliament. Then followed other arrests, which I shall in a moment call attention to, and to evade arrest Mr. Arthur O'Connor left Dublin and came to England. Mr. O'Connor's first act, when he succeeded to Mr. Sexton, was to have employed and brought into the office for the purpose of keeping the accounts and books of the League in order, a public accountant or a gentleman from the office of the public accountant in Dublin. That gentleman being Mr. Phillips, who, according to the evidence of Mr. Soames, had availed himself of his position of trust in the Land League to carry away from the office of his employers a number of documents, some of which have been produced. The only one of any consequence I think that I can recall, and I think the fact is so, being a letter, which your Lordships may remember, from one T. Horan, or Timothy Horan, who is since dead, and who was at the time secretary of the Castleisland branch of the Land League. To that letter and to the incidents to which it refers I will later recur.

I wish, my Lords, to explain fully the position of this matter. I have followed out this succession of persons down to Mr. Arthur O'Connor, who was the last person who had anything to do with the conduct of the business of the League at the Central Office in Dublin, and the rest of the direction, such as it was, was in Paris during the action of the Land League, because, seeing that the Coercion Act was then pending and that the arrest of Mr. Davitt had pretty well shown what the intention of the Executive at that time was, Mr. Egan, one of the treasurers, or the treasurer, went to Paris in February of 1881 and remained in Paris, and that your Lordships will find not an unimportant consideration in relation to the evidence, amongst others, of Delaney. He remained in Paris until December of 1882. I am not sure whether he did not visit Dublin on one occasion in the interval. I do not wish to express myself quite positively about it. I know that he did come to this country; whether he went to Ireland I am not sure, I rather think not, but practically from February 1881 to December of 1882 he was resident in Paris.

Now, my Lords, I wish to show what was done with other officers of the League, men who were connected with the League. Boyton was arrested as a suspect on the 8th March 1881 released on the 30th November 1881. Sheridan was arrested on the 15th March 1881, as a suspect, released on the 18th September 1881. Mr. Harris was arrested on the 16th April 1881, released on the 3rd February 1882. I have already spoken of Mr. Dillon's arrest in May of 1881, and his release in August of 1881. He was again arrested when there was a general arrest of the leaders, as I will presently tell your Lordships, on the 15th October 1881, and released as I have already mentioned in May of 1882. Thomas Brennan was arrested on the 23rd May 1881, and released on the 16th June 1882.

Your Lordships will find these dates very important, especially in reference to Brennan (they are also important as regards some others), in reference to the evidence of at least one witness suggesting complicity on the part of Brennan in the Invincible Conspiracy. He was in custody from the 23rd May 1881 to the 16th June 1882. Then Mr. Parnell was arrested on the 13th October 1881, released on the 2nd May 1882. Mr. O'Kelly was arrested on 15th October 1881, released 2nd May 1882. I have already given your Lordships the dates of Mr. Sexton's arrest. I will repeat them again in this connexion, if your Lordships wish. Mr. Sexton was arrested on the 14th October 1881, released on the 13th November 1881. Mr. William O'Brien was arrested on the 15th October 1881, released in May 1882. Dr. Kenny, Member of Parliament, was arrested on the 24th October 1881 (all these are suspects), released on the 8th February 1882. Immediately following upon these arrests the Land League was suppressed by

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proclamation of the executive, and before, during, and after the period covered by the arrests of the principal members of the League whose names I have given, there was going on all over the country, the arrests of a number of persons, a large number of whom were in official connexion with local branches of the League.

I need not, I think, labour the point. It is obvious that when that state of things had been arrived at, when the responsibility was taken away from the leaders of the movement centrally and locally, when members not so capable of directing, governing, and controlling were in this way removed, there would follow, I think, your Lordships would naturally expect what did follow, namely, the disorganisation of the whole of the Land League movement all over the country; and your Lordships would also expect, although as defendants we are perhaps not called upon to do it, but your Lordships would also expect that we in such a position as that would find it practically impossible to produce the records either books, correspondence, accounts, or funds with the same exactness and the same completeness as your Lordships would expect the books, accounts, and correspondence of a merchant to be produced, or, perhaps, for this purpose a better comparison is, as your Lordships would expect, and would be justified in expecting, in the case of the National League, which dates from October of 1882, and as to which I believe I am justified in saying that we have in all respects as to its action, its correspondence, its machinery, its funds, and its accounts, full and complete information placed at your Lordships' disposal.

As regards the books of the League, some, I think, found their way to Paris, what, I do not exactly know, I have never seen them. Some found their way through the instrumentality of Mr. Arthur O'Connor and I think Mr. Henry Campbell, to Liverpool, and from Liverpool to London, and found their way into the hands, I am not sure of the gentleman's name, but I think of Mr. Malony, who got those which remained in Dublin, which were brought over by the instrumentality of Mr. Arthur O'Connor and Mr. Thomas Sexton. And Dr. Kenny in the affidavit which he made for the purpose of discovery, has informed your Lordships, and, of course, informed those who instruct the "Times" of this fact. I, myself, have not seen such books as Mr. Malony has. The "Times," I understand, subpoenaed, I presume upon the information, that Dr. Kenny in his affidavit of discovery gave them, Mr. Malony to produce these books. They have not thought it apparently right to produce them, at all events, they have not produced them.

Now, my Lords, under what authority was all this done? It was done under the authority of the Act passed in March of 1881, which I have described by the name of Mr. Forster's Coercion Act, as it was known. I do not think there is anyone on any side of politics who would at the present day justify that Act. I will tell your Lordships what it was. It was an Act which authorised the executive on their being satisfied that anyone was reasonably suspected of criminal action, to take them into custody, to imprison them for an indefinite time without any opportunity contemplated, or machinery provided for the persons so alleged to be suspected, so seized, and so held in custody, being ever brought to any judicial tribunal for trial. An extreme measure, I need not say an unconstitutional measure, but it was justified by Mr. Forster with perfect honesty of purpose, I doubt not; it was justified by him upon the information given him by the executive—when I say by the executive, I mean by police agents and by inspectors and magistrates throughout the country, a greater proportion, I beg your Lordships to recollect, of this class of magistrates being landlords themselves, against whom this land agitation was unquestionably directed, and justified by Mr. Forster as the official information he, in this way, received, that this was in truth no national movement—that it was the work, to use an expression which he more than once used in the House of Commons in forcing it upon that House—it was the work of a few village ruffians, and his case in the House of Commons was: "Give me authority to put these village ruffians into gaol and to keep them there until the country quiets down; the country will quiet down, and thereby the peace of the community is secured." My Lords, it is time to say, right to say, that I do not doubt that unconstitutional as this measure was, indefensible as I think everybody now admits it to be, that there were persons seized and arrested under it who may have been, and probably were, parties to criminal misconduct, but the effect of this mode of treating them was not to allay but to increase the causes of disturbance. Each one of these persons arrested, not brought face

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to face with his accusers, put into prison almost by *lettre cochet* was to make that man, his friends, his neighbours amongst whom he lived—to make his arrest a fresh cause of local disturbance—nay, it had even a worse effect than that, for it had the effect of making men, upon their own merits and upon their own conduct, probably many of them even not entitled to public sympathy at all—it made them martyrs in the eyes of their neighbours and of the public, and to such an extent did that mistaken policy prevail that the title of “ex-suspect” came absolutely to be used as a title of honour. I have myself seen, years after the release of these men from prison, letters in which they signed themselves, as if it was a title of dignity, “ex-suspect.”

Well, my Lords, if these men were described as village ruffians, the description may have been true as to a portion of them, some of them, I take leave to say, it is not poetical exaggeration to hear them described as “some village Hampden, who with dauntless breast the little tyrant of his fields withstood.” But if that was the effect upon the public mind and on the public peace in the case of the class to whom I have referred, how much more strongly does the same language apply when the people of Ireland found their trusty leaders, the men who were battling, as they believed, for their rights, whose only offence was that they had assumed their cause and made it their own, that these men were put in prison under like conditions, no accuser whom they could meet, no jury or other tribunal to whom they could appeal. The result was exactly what one would have anticipated, the disorganisation of the Land League, the want of control of its officers and of its movements, widespread and increasing discontent and disturbance—aye, and increased and increasing crime; for your Lordships will find that over the whole of the period into which you are inquiring the worst period of crime was during the operation of that Coercion Act by the imprisonment of the Land League leaders. The worst period of crime was the period which immediately followed the imprisonment of its leaders.

I know it may be suggested, and I desire to leave no suggestion of that kind untouched, that there was another cause and operation, namely, the issue of the “No Rent Manifesto.” I do not deny that it is quite possible fairly and reasonably to suggest that that also may have had a disturbing effect upon the peace of the country, but I say it could have had no effect upon the peace of the country anything like proportionate to the effect consequent upon the breaking up of that controlling power of the organisation consequent upon the imprisonment of the local, as well as of the central leaders of the organisation.

As regards the issue of that “No Rent Manifesto,” I do not justify it. I doubt whether Mr. Parnell would justify it; if he did, he would say this, that it was an unconstitutional blow in return for an unconstitutional blow. He would say, and I think justly say, it did something, or might have done something, to bring the executive speedily, and the landlords whose interests by these proceedings they were supposed—erroneously supposed—to be serving, bring them more speedily to the sense and belief that the peace of the country was not to be secured, nor the settlement of the land question to be arrived at, by the imprisonment of the Irish leaders. But as regards any actual operation in the withholding of the payment of rents, I boldly profess this opinion, that, looking to the position of the ordinary Irish tenant, to the fact that he has no resources to look to but continued occupation of his holding, that I do not believe that any organisation, however strong, or external inducement, however forcibly put, will prevent that man from paying the rent, even the unjust rent which he owes by the terms of his contract, provided he has the means to do it, if the alternative is that he is to lose for himself and his family and his children the protection of his house and home. I do not mean to say there may not be isolated cases to which my general observation would not apply but I believe, broadly speaking, it is true that the Irish tenants have in the past and even now, strained every effort to keep their holdings, however great the pinch and the stress of penury which might be put upon them.

My Lords, as a matter of fact the “No Rent Manifesto” was circulated, but circulated only for a limited period. And your Lordships may recall the statement, which I believe was strictly accurate, of Captain O’Shea who, referring to his interview in Kilmainham, in I think the month of April or about the month of April 1882, said he was then told by Mr. Parnell that the “No Rent Manifesto” had been for months—I think that was Captain O’Shea’s expression—had been for months a dead letter.

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Now, my Lords, I should like in this connexion to show your Lordships how the question stands. My learned friend Mr. Asquith, whose services I cannot sufficiently acknowledge as well as my other learned colleagues, have helped me to put before your Lordships in what I think is a succinct and clear form two aspects of the figures of crime of 1880, 1881, and 1882. Your Lordships will recollect that the Land League was suppressed in October 1881—from October 1881 to April 1882, making inclusive seven months, shows crimes of all kinds of an agrarian nature amounting to 3,531, or an average for each of these seven months of 504 in each month.

(The President.) Beginning with 1880 you say—1880, 1881, and 1882.

(Sir C. Russell.) No, my Lord, from the suspension of the League from October 1881, to April 1882, inclusive, 3,531, or an average of 504 per month higher than any other corresponding period of the whole period of the agitation, I have the figures in detail, and will hand them in, but I do not propose to trouble your Lordships with them. [The figures were put in, and are as follows]:—

“ AGRARIAN CRIME.

“ 1880-1-2.

—	1880.	1881.	1882.
January - - -	—	448	495
February - - -	—	170	410
March - - -	—	151	542
April - - -	—	308	465
May - - -	—	351	401
June - - -	—	332	284
July - - -	—	271	231
August - - -	—	373	176
September - - -	168	416	139
October - - -	269	511	112
November - - -	561	534	93
December - - -	866	574	85
Total - - -	1,864	4,439	3,433

“ From Oct. '81, to April '82, (inclusive, seven months) = 3,531, or an average
“ of 504 per month higher than during any other corresponding period.”

I present, also, my Lords, another view of these figures as to crime over this period. This view is merely conversant with the crime of murder. Your Lordships will recollect that the Attorney-General examined the statistics, taking the period thus—the statement will be found at page 198 of his opening. He took the periods 1877-79, which would be three years; 1880-82, three years; 1883, one year; 1883-84, and the years 1885-87, and he worked out this result: 1877-79, before the Land League, 20 murders; 1180-82, during the Land League, 50 murders; 1883-84, one murder; 1884-85, 19 murders.

My Lords, to begin I point out first of all that in its full force and intensity that the effect of the disastrous year—the culminating disastrous year of 1879—did not begin to be felt—I mean in its full force, until 1880-81. But still more—that the disturbing cause—the thing which is the most widely connected with disturbance, with crime, and with outrage, namely, the increase of landlord activity in ejectments, and especially when they have ripened into evictions—that these were in greater force, according to the figures which I yesterday gave your Lordships, in the years 1881-82.

I gave another and contrasted table for this purpose, and for the purpose of this contrast I am dividing the periods. I am taking the same figures, adopting the same figures of murders which the Attorney-General has given, and what would be the result? I have only troubled you with the case of the Attorney-General's figures as

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to murders. He referred to others also, and I shall in this contrasted statement deal with them all. Take the two years for 1880-1881. The average "murders" of those two years was $12\frac{1}{2}$. The total in 1882 alone, when the Land League was a suppressed body, was 26. Taking "firings at the person," the average of the two years 1880-1881 was $45\frac{1}{2}$. For 1882 alone, when the Land League was suppressed, 58. The average for the two years 1880 and 1881 of "incendiary fires," and so forth, 283. The average for the year 1882, 281. "Cattle outrages," the average for the two years 1880-1881, 128. In 1882 alone, 144. "Threatening letters," average for the two years, 1880-1881, 1,764. Total in 1882 alone, 2,009. "Firing into dwelling houses," the average for the two years, 1880-1881, was 105. The total in 1882 alone, 117. In other words, comparing the average for the two years of all the offences together, 2,358—the average for the two years 1880-1881—as against 2,635 in 1882 alone.

Then, my Lords, the Attorney-General went on to refer to the outrages over the later period, and he connected them with one cause, the operation and force of the Crimes Act. I attribute them to another and a different cause. I quite agree that the stringency of criminal law may restrain, but only for a brief period, the appearance of crime. It does not alter the temper of the people. It does not bring them closer in sympathy with law. It does not increase their respect for the law. You may drive for a time the appearance of crime beneath the surface. It is the most you can accomplish. There was in operation in those later years that which the Land League had desired should be in operation long before—the history of which I will presently give you—the operation of a Land Act, the first great charter of freedom for the Irish tenant farmer. And there was in operation an Arrears Act, which if the wise counsel—for wise it proved to be—of the Irish Members had been followed, would have been passed long before, and would have made the operation of the Land Act much more widespread and much speedier in its tranquilising effect upon the country.

If I have succeeded in conveying my method of proceeding to your Lordships, you will understand that I am not at this stage dealing with the evidence in any kind of detail relating to particular crimes. I propose to do that a little later. I wish to complete the narrative, the whole story, only referring incidentally to matters which are necessary to make my narrative clear, preserving the circumstances as far as in such a story it is possible to preserve the order of time.

My Lords, I would, however, in passing, ask leave to say, as your Lordships recollect the exceptional advantages which the "Times" have had—I speak not merely of the ability of their counsel and of their solicitor, but of the special advantages to which I early in my observations referred in this matter. I am not complaining of it, but merely referring to it—that they have had practically at their disposition in the establishment of the charges to which they have referred, all the means of knowledge which the Executive have had. When your Lordships recollect that raid after raid, search after search, has been made with the view of discovering in the possession of persons connected officially with the Land League incriminatory documents—raids which even extended to the central branch itself in Dublin—let me remind your Lordships of those searches in a moment—when you recollect that, I do ask your Lordships is it not an extraordinary fact, not that they have obtained so much, but that in the case of an organisation so widely spread, with so many branches that they have been able to produce, and have succeeded in producing so little that is in any way of an incriminatory or damnatory character. I beg leave to say—I believe I have the assent of my friends—I do not desire to over-state my case—but I believe I am correct in saying that the result of all the searches, which I shall in a moment call your Lordships' attention to, all the means of information supplied by the police, and by their reports to their superiors, was one document, and one document only. The letter of the dead man, Timothy Horan, the secretary of the Castleisland branch of the Land League, is the only one which affords even a shadow of a shade of foundation for the reckless statement—I do not mean reckless as far as the Attorney-General is concerned, but reckless in the sense of those who instruct him—that the ordinary machinery, the normal and regular machinery of this popular organisation was employed in the attempts for outrage.

What are these searches? They extend from 1882 down to, I think, the latest in 1884. I have already referred to the assistance which, in betrayal of his confidential

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employment Mr. Phillips, the accountant, appears to have rendered. He appears to have been able to secure that one document, and that one document only, to which I have referred. Now what were those searches? And when I point attention to those searches I wish your Lordships to understand that if we knew the full extent of this, it would strengthen my observations a great deal more. I am dealing with only those that have appeared in the course of this case, and that have incidentally come out, or directly come out in the course of the evidence for the prosecution. It may be that the explanation suggested to me is the right one, that these have been brought forward because, if they can be so-called, they were the only ones that were fruitful, that the fruitless ones have not been mentioned or been kept in the background.

M'Carthy, of the Royal Irish Constabulary, page 886, in August 1884, searched the house of John Mahon, Treasurer of the Land League of the Farranfore branch, because, says M'Carthy, he was suspected.

O'Brien, of the Royal Irish Constabulary—I am reading this to your Lordship not in the order of date, but in the order in which they appear in the evidence of the proceedings—on the 22nd November 1884, searched the house of Steele, a correspondent of the Lahieve, secretary of the Ahadda branch of the League, and produces two letters signed by Lahieve, secretary of the branch, and that search was apparently made for the purpose of seeing whether he could not get evidence to prosecute this secretary.

Royse, of the Royal Irish Constabulary, page 1442, the previous one was 1393, on the 11th January 1883, searched Mahoney's house at Balldehob, and a large number of documents were produced, not one of which is worth my paying even a passing comment upon.

Mr. McArdle of the Royal Irish Constabulary, on the 10th of August 1882, searched the house of Michael Cullen, of Foxford, co. Mayo, secretary of the Foxford branch, and found some letters with reference to the defence of prisoners, and instructions as to the procedure in cases of eviction, and an interesting historical document, the amended constitution of the I.R.B.

The same date, the same gentleman, evidence 2125, searched the house of Martin Sheridan, of Ballagh, brother of P. J. Sheridan, in order to get documents to incriminate that person.

Roger, of the Royal Irish Constabulary, page 2176 on the 6th of April 1883, searched the house of Mrs. Mary O'Connor, at Athlone, the secretary of the Ladies' Land League. I will not even stop to criticise those letters, for they have nothing in them deserving worthy of notice.

Wilkinson of the constabulary of the English police, page 2359, searched the house of John Walsh at Rochdale in February 1883, and produced a number of documents, the relevancy of which I protested against at the time, and complained that no evidence was shown, connecting them with any time over which your Lordships' Commission was extending or inquiring into. I did not know what documents, but I demanded, I respectfully submitted, it should be shewn. They were all put in. I did not complain of it. A number of documents relating to the Fenian Brotherhood—an imposing array of statements about stands of arms and what not—not one scintilla of evidence to shew or to connect them with anything except a remote period—if I should be wrong, I should be very glad at any moment to be set right in relation to it.

Coulson, at page 2,089, on the 12th of November 1881, searched the house of Tobin at Bradford.

James Kent of the Irish constabulary (p. 2,843), in August 1882, searched the house of Edward O'Connor, secretary of the Ballinmo branches of the Land League in Galway.

Then at pages 1926, 1052 and 2227, we have a long account of documents seized, or rather not seized at Mr. Matthew Harris' house. I leave my learned friend Mr. Lockwood hereafter to deal with those documents. He glanced at some of them at the time. There was a great mass of them. It showed that Mr. Matthew Harris was revolving apparently at one time in his mind some very comprehensive schemes for National as well as for Land Reform, and apparently a not very inconsiderable part of these notes were speculative or political inquiries which Mr. Mathew Harris was in his leisure moments indulging in and committing to writing, including his diary. But as regards any one of those documents, as far as I saw them, there was not one which would throw any light—

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which would throw the least light, or which was shown to throw the least light upon any question involved in the case? The story of the way in which those documents were obtained, again points to the means of complete information that is at the disposition of the prosecution, because what appears to have occurred there was this, that the police—upon what justification I know not—though we have not been told by what legal right entered the house of Mr. Mathew Harris, possessed themselves of his documents, took copies of his documents, and then replaced in his house the originals. The Attorney-General having in his possession the copies, called upon Mr. Mathew Harris to produce the originals, and Mr. Mathew Harris said “By all means,” or through his counsel said “Read your copies.”

My Lords, apparently the Irish police are not very particular to ascertain the precise legal grounds upon which some of their proceedings are based, for we have had various little indications of acts, which, I think, I might call extra legal acts, which they performed in the seizures—like Mr. Kelly, who seized copies of the “Irish World,” authorised by no law that I am aware of, but to use his own phrase, he did it as a policeman, or of Mr. Uttery, also of the Royal Irish Constabulary, who did the same, and seized a number of parcels that arrived, and when called upon for his justification, he said it was because Mr. Newall, the district inspector, told him to do it. These are small incidents, I admit, my Lord, but they are incidents nevertheless, showing the mode in which law is administered—the administration carried out, and the rather high-handed way with which these people are dealt.

Now, my Lord, I may enter on a more important subject. I come to the history of the Land League Act; the tenour of the Land Act of 1881; an Act, that if it had been passed 50 years ago, or at the time of the Devon Commission, would have undoubtedly changed the social condition of the Irish people in a remarkable degree. The fault of legislation in regard to that country has been that it has come too late—that it has come only after pressure—that it has come after often exceptional pressure, and under circumstances which undoubtedly weakens its effect, and deprives it of all its grace. My Lord, that is true of this Act of 1880. I well remember the opening session of that Parliament in which, in the Queen’s speech, this Land Act was referred to, and the Prime Minister’s speech referring to the subject, and I convey, I think correctly, and it is important I should—I convey correctly the impression formed by most minds anxious upon the subject, when I say the Prime Minister of that day, I mean Mr. Gladstone, in his original reference to great measures relating to Ireland, namely, the Coercion Act, and the Land Bill, foreshadowed in his speech a strong Coercion Act, and a weak Land Bill; nor do I blame the Prime Minister. He had appointed a commission, one of the many commissions to which your Lordships’ have had reference made, he had appointed a commission to examine and report upon this subject. He was sincerely anxious to deal with it, and to deal with it—I doubt not—thoroughly, but he had a difficult task. He had enormous class interests opposing both in the House of Commons and in another place.

What had been the attempts made on previous occasions by the Irish party were held up to reprobation as personal interest, not in helping, but in delaying just legislation, with the view to keep up the spirit of discontent in the country. I will trouble you with only ten years of what I may call rejected Land Bills, every one of them, with hardly an exception, brought in by the Irish members. In 1871, by Serjeant Sherlock. In 1872, by Mr. Butt. In the same year another for the amendment of the Land Act of 1870 by Mr. Butt. In the same year another on the same subject by Mr. Heron, then a member returned by an English constituency. In 1874 another by Mr. Butt. Another by Sir John Gray. Another as regards the Ulster Tenant Right by Mr. Butt. Another as regards the Land Extension by The O’Donovan. In 1879 one by Mr. Smythe, one by Mr. Crawford, one by Mr. Sharman Crawford, whose name is associated with continued effort extending over an enormous series of years to deal with this question. In 1876 one by Mr. Crawford, one by Mr. Mulholland, a Conservative member for Ireland, one by Mr. Butt. In 1877 another attempt by Mr. Butt, another attempt by Mr. Crawford. In 1878 an attempt by Lord Arthur Hill, an attempt by Mr. Macartney. An attempt by Mr. John Martin. An attempt by Mr. George Henry Moore. In 1879 again by Mr. Macartney, and again by Lord Arthur Hill. Again by Mr. Herbert, in addition to one by Mr. Taylor, and Mr. Dowding. In 1880 again by Mr. Taylor, again by Mr. Macartney, again by Mr. Lauden—not again—that is his

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first attempt. Mr. O'Connor Power, and finally the Compensation for Disturbance Bill of Mr. Foster in the year 1880.

My Lords, that is one decade and one decade, only of attempts to deal with this land question, every one of which failed to receive even a second reading in the House of Commons. Why? Not because the justice of the case, the needs of dealing with the case were one wit less in those years than in 1881, but because what I yesterday called the *vis inertiae* in the public mind and in the mind of Parliament had not been overcome, had not been arrested, had not its attention drawn to it. My Lords, in considering the Act of 1881, it is necessary that I should draw your attention to the Commission which preceded it. I told your Lordship yesterday that one peculiarity of these Commissions, of which beyond doubt there has been a sufficient crop, was, that on not one of them, until a Commission as late as the year 1886-87 was, so far as I know, a single tenant farmer represented. That is to say, not a single tenant farmer was one of these Commissioners, although the object was mainly to inquire into the condition of these very people. I do not mean to say all the Commissioners were not in every case honourable men, and men of position. They were men whose class interests to a great extent and generally speaking conflicted with remedial legislation in the direction in which the people of Ireland required it. This Commission was addressed to Lord Bessborough, a landlord, but unquestionably a landlord of the best class in Ireland, as I understand his reputation, to Baron Dowse, to the O'Connor Don (also a landlord), to Arthur McMorrough Kavanagh, a landlord of landlords, and Mr. William Shaw, who may be said to have represented the Irish section of Members of Parliament at that time.

My Lords, I am very loth to trouble your Lordships with long passages from this report, but I think it is necessary to make it clear (I have already tried to do so by comments of my own) why the Act of 1870, passed with the best intentions, was an utter failure. I will hand it in, not to have it put on the note, but your Lordships may desire to make reference to it, and I will only refer to one or two matters. Your Lordships will recollect that in the Devon Commission, Lord Devon practically warned Irish landlords that the custom and claims of right based upon the fact that the tenants did all the improvements, and built the houses, and maintained them and so forth would, if unchecked, grow into a legal custom, which might greatly diminish the proprietary interests and rights of the landlords. The Commissioners in their report which I have before me (I mean the report of the Bessborough Commission in 1881) say this:—

“It is probable that the warning given by Lord Devon had a considerable effect in causing efforts to be made, far more systematically than before, to repress the tendency of the claims of tenants to become established in the form of local customs. Another cause which has operated in the same direction, has been the extensive transfer, under the action of the Encumbered Estates Court and of the tribunals which have taken its place, ever since the famine of 1846, of ancient properties previously managed in a more or less patriarchal fashion, to new owners. Most of the purchasers were ignorant of the traditions of the soil; many of them were destitute of sympathy for the historical condition of things. Some purchased land merely as an investment for capital, and with the purpose—a legitimate one, so far as their knowledge extended—of making all the money they could out of the tenants by treating with them on a purely commercial footing. A semi-authoritative encouragement was given to this view of their bargains by the note which it was customary to insert in advertisements of sales under the Court: ‘The rental is capable of considerable increase on the falling in of leases.’ This hint has often been acted on, and rents greatly above the old level—in some cases probably above the full commercial value—have been demanded and enforced, with the natural result, in a few years’ time, of utterly impoverishing the tenants.”

So that your Lordship sees I was undertaking the case yesterday when I pointed merely to the neglect for a quarter of a century after the report of the Devon Commission to deal by Act of Parliament with this question. For, as here stated, there is a warning which the Devon Commission gave, and which pointed to the need for an equitable adjustment of the relations between the two classes which had been acted upon as these Commissioners say, “far more systematically than before to repress the tendency of the claims of the tenants.”

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Then, my Lords, they refer to the Act of 1860, which is not an important Act in itself, but rather a retrograde Act, the Act which I yesterday called Mr. Deasy's Act. Mr. Macartney and Mr. Deasy, in the House of Commons, were responsible for it. It is known in Ireland as Deasy's Act. That Act is referred to by the Commissioners thus :

“ This enactment has produced little or no effect. It may be said to have given utterance to the wishes of the Legislature that the traditional rights of tenants should cease to exist, rather than to have seriously affected the conditions of their existence.”

Then they proceed to consider the Act of 1870. They point out the respects in which it has failed, and I am afraid I must trouble your Lordships with two more passages from it.

“ The full bearing of these observations will not be appreciated unless it be remembered that, in nearly all cases of dispute between tenant and landlord, what the aggrieved tenant wants is, not to be compensated for the loss of his farm, but to be continued in its occupancy at a fair rent. This, as the law now stands, he cannot have ; and in order to raise a question before the court he is forced to begin by a surrender of the only thing for which he really cares. The plaintiff in a land claim, if he fails to prove his case, is turned out without the compensation that he claimed ; but if he proves it he is turned out all the same. Even the chance that he might, by consent of the landlord, be allowed to continue in possession at the higher rent, the demand of which in many cases has been the sole cause of the suit, and his refusal to pay which has led to the service of the notice to quit upon him, is lessened by the bitterness naturally engendered in a contest at law between himself and his landlord. The Act was intended to confer security upon tenants, and has to some extent succeeded in so doing ; but it has in this respect introduced a new element of insecurity. It has converted ordinary disputes over the amount of rent, and over a tenant's dealings with his holding, into one-sided wagers of battle, where the prize at stake is in all cases first adjudged to the landlord, and the tenant, if successful, is obliged to put up with a substitute. In a word, once the tenant comes into court, all the law can give him is compensation in money. The very fact of his making a claim at all pre-supposes that he is to leave the land. It is obvious that a statute of this description, the utmost scope of which is to give compensation for the loss of a valuable interest, but no right to be protected in its enjoyment, or to have it restored when it has been taken away, fails to afford protection, on the usual lines, to the tenant's interest in his holding, if that interest be considered as a genuine proprietary right ; and at the same time it is hard to see on what grounds such legislation is to be justified, if the existence of any proprietary right in the tenant is denied. However useful as a temporary measure at a transitional period, it appears to us that the Land Act contained in itself the seeds of failure, as a permanent settlement. As such, now that it has been fairly tried, it is impossible to resist the conclusion that it has failed to give satisfaction to either party.”

My Lords, those words of warning were uttered (and were disregarded) by the representative Irish members when that Land Act of 1870 was in discussion in the House of Commons.

They then proceeded to make suggestions and point out the additional grievance and difficulty was that under that Act the tenant's interest was gradually eaten up by increases of rent. They proceed to point out that no scheme will be effective which does not prevent that ; which does not establish a tribunal which shall fix the fair rent and which shall not give practically fixity of tenure at a fair rent to the tenant. And then they make suggestions which, if they had only been acted upon and carried out as I have said years before, would have altered the social, and to some extent affected the political question in Ireland. Political questions would still have remained, but they would have remained under different conditions, would have been approached from a different standpoint, would have been discussed in a different manner.

Now, in reference to the Land Act itself, I must mention one other of the prominent members of the Irish party to whom I have already referred. I refer especially to Mr. Timothy Healey, now a barrister at the Irish bar, who on this occasion, as upon

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others, showed a most remarkable ability. Nobody, I think, will more readily say than my friend who is near me, and who took part as one of the ministers of the day in helping that Bill through, that the most remarkable ability and acquaintance with this subject was evinced by Mr. Healey in the discussions upon that Bill. And, again, I have to point out that two causes operated (even at this date which we have reached, 1881) against a full and complete dealing with this land question. In the House of Commons itself there was but little general knowledge upon the subject. There was still, under the limited franchise which Ireland then enjoyed (limited in a marked degree, even as compared with that of England and Scotland), a strong body of landlord representatives returned from Ireland. In the House itself there is of course a large contingent representing the same interest. Ministers, I presume, have to consider in a state of government such as ours, not merely what theoretically they think to be necessary, but what practically they think they can carry through. Nor is the difficulty confined to carrying it through the House of Commons, because there is another and a more difficult barrier to be passed—more difficult upon this question particularly; and I wish to emphasise here, my Lords, this point: That I have the most firm belief that the author of this Act, the Government who have the credit for it, desired most thoroughly to the best of their ability to deal with the matter completely, going to the root of things. But as I well recollect during this discussion in Parliament, we were constantly reminded—the Irish members were constantly reminded—when suggestion after suggestion was made, what we had to consider was, that the ship was bound for another port, where the waters were shallow, and suggestion after suggestion as to evils which have since to some extent been removed, again too late, were made by Irish members and rejected, not upon their merits, but upon the difficulty of piloting the measure with those additions safely through both houses. And here again we have a perpetuation of the same mischief. It is not until the agitation has increased in volume in Ireland and the discontent is wider that the Arrears Bill is passed, it is not until a later period when there occurs in 1885, 1886, and 1887, the most extraordinary and abnormal fall that has occurred in prices, which has occurred I believe in the present century, that Government under pressure from without apply themselves to a task, the need for which was obvious to those who understood the question as far back as 1881.

Now, my Lords, I have said that this Bill constituted the first, and I admit it to be a great charter for the Irish tenant class. But it will be asked, why has it not succeeded? Why in spite of its wide-reaching protective provisions for the Irish tenant class had it not immediately a pacifying effect? I will tell your Lordships, for herein lies the whole explanation of the continued difficulties which in a greater or less degree continue down to the present time, some of which I admit have been removed, some of which have been modified. I will enumerate the shortcomings of that Act. In the first instance it excluded from its provisions the entire body of farmers in Ireland who held by lease, and when I tell your Lordships that the leaseholders were many of them men who had had their leases, I will not say forced upon them, but thrust upon them after the Act, or immediately before the Act of 1870; that they were men in the same rank of life as ordinary tenants at will, holding farms of the same extent, and no better and no worse in any social condition, it is obvious that the exclusion of the leaseholders could not but be a cause of discontent and of disturbance. For what you had actually existing all over Ireland was this; on one side of a road you had a farmer with 10 or 15 acres of land paying a rent which under the provisions of the Act he had a right to have reduced to a fair rent through the mediation of a judicial tribunal; and on the other side of the road you had a man with a farm of the same extent, and held under the same conditions, who was excluded from the court, the sole difference between the two cases being that one held his land under a written contract, with a piece of sealing wax upon it, and that the other held it as ordinary tenant from year to year.

Another difficulty was this. The great contest of course always has been—all along the line of history in this land question—that the tenants were not to be taxed with an increased rent for the improved value they had given by their efforts to the land. The Irish members complain that the clause which came to be associated with the name of Mr. Healy, the Healy clause, was not effective for that protection, and their complaint proved afterwards to be realised, for whereas that clause provided that tenants should not be taxed upon improvements in the shape of increased rent unless

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such improvements had been made or otherwise compensated for by the landlord, by the decision of the Court of Appeal in Ireland in the famous case of *Adams v. Dunseaton*, the then Lord Chancellor Law, who was mainly responsible for the Act of 1881 dissenting, the majority of the Court of Appeal held that length of occupation was a form of compensation to the tenant; in other words, length of enjoyment, of that which the man had himself created was compensation or the equivalent of compensation from his landlord. The Act also excluded from its operation all farms which wholly or in part were said to be town parks, in other words, in the neighbourhood of towns of a certain population. The Act also worked in relation to turbary rights in a way to keep the people from access to the Land Court in a large number of cases under the Act as it originally stood altogether. Thus they had a right to go to the Land Court to have the fair judicial rent fixed, but the Courts decided that the right of taking bog in the landlords bog which had been held as part of the holding in the ordinary sense of those words, yet was not part of the letting of the holding, and that the power of the landlord to charge what price he pleased for his turbary rights or to take them away altogether was left untouched. And so it happened that in some cases the landlords recouped themselves by extra charges for the exercise of turbary rights, for reduction of the rents, and in other cases deterred the tenants from going into the court at all, by reason of the fear and apprehension that they would be deprived of these rights. The Act had no provision whatever for the case of labourers, and I come to the three principal reasons now. It was not retrospective, it was not automatic in its application, and it did not deal with the arrears.

Those were the three main difficulties which prevented any immediate effect being experienced from the passage of this Act and of postponing for a considerable time and for placing within reach of the tenants only after considerable expense and cost, the benefits of the Act themselves.

My Lords, upon each of those points I must say something.

(*The President.*) I do not myself see the bearing of this criticism of that Act upon any question before us.

(*Sir C. Russell.*) I think your Lordship will see it. I was endeavouring to convey to your Lordships the reasons why, notwithstanding this Act of 1881, there were still existing the elements of disturbance which the Act left untouched, and which required the continuance of the popular movement in order that these points of grievance might be redressed. That is the point I am addressing myself to.

(*The President.*) I do not intend to stop you Sir Charles. I was only telling you what was passing through my mind.

(*Sir C. Russell.*) May I point out to your Lordship this. I think your Lordship will really see that it is pertinent. My whole main argument to your Lordships up to this has been, or a great part at least of my argument has been this, namely, that the crime in Ireland springs from the state of the relations of landlord and tenant. That I have, I think, almost demonstrated to your Lordship. I am wanting to meet the argument which has been suggested in the course of the opening of the Attorney-General, in which he spoke of the advantages which the Irish tenant class derived under the Act of 1881 as being exceptional advantages unprecedented in the history of other countries, and as pointing out that after that Act had passed there could be no pretence for saying there was any ground or seed from which agitation and crime could spring.

But, my Lords, I have another reason which I will in a moment or two develope to your Lordships, and which I think your Lordships will see is strictly germane to the question. I want to show to your Lordships how this Act was met and dealt with by the members whose conduct is here in question. I want to show your Lordships, when it is said that in face of this Land Act they continued their agitation and set themselves against it in place of aiding it, how utterly wrong and mistaken that view is, and to justify their conduct in this regard, showing that it was the conduct of men anxious for the public good. In that view I have satisfied myself that it is relevant, and I do not propose to trouble your Lordship any longer in relation to it that I can avoid.

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Now, in relation to the question of the decisions of the court not being retrospective, what I mean is this. The court was speedily crowded with applications. Those applications which were at the first sitting of the court preferred were treated as cases then begun; and the decision as to rent reductions dated from that time. But as regards cases after the first application, although years elapsed before they could be dealt with, and before they were dealt with, the effect of the decision in the reduction of rent did not relate back to the date of the application, but to the date of the judicial decision. So that, meanwhile, there was running on during the intervening period rent, and the accumulating arrears of rent at the old and, presumably, the unjust or excessive rent.

And that, again, my Lords, leads to the second point, which is the question of the arrears of rent itself; and, I think, I may best and most briefly, as well probably as most clearly put your Lordship in possession of what I mean to say in reference to this question of arrears by reading one passage, and one passage, I think, only, from the publication of a witness who will be called before you, and which I adopt as my own argument in the case—I mean the publication by the present Archbishop of Dublin, Dr. Walsh, in the November, 1888, number of the “Contemporary Review.” Let me point out to your Lordship that this whole legislation in relation to landlord and tenant in Ireland rested upon the ground that they were not respectively free contracting parties; in other words, that the position of the tenant relatively to the landlord was such as to deprive the tenant of free volition in the matter of contracts as to rents. The writer at page 756 of the magazine in question says:—

“ Another barrier, possibly of still wider reach in excluding the tenants from the protection of the courts, has been raised by the accumulation, absolutely unavoidable in thousands of cases, of arrears of rent. With singular inconsistency the Land Act of 1881, while establishing a tribunal with authority to cut down excessive rents, made no provision for lightening the burthen of accumulated arrears. Under this Statute a tenant, who for years had found himself unable to cope with the difficulties of an exorbitant rent, might bring his case into court. It might be found that the rent was enormously in excess of a fair rent—in excess of it possibly by 100, 200, or, as sometimes was the case, even by 300 per cent. An equitable reduction might be effected by the court. But as to the arrears that had resulted from the excessiveness of this exorbitant rent in the past, the courts had no jurisdiction to reduce them by one farthing. In some cases landlords, whose rents had been seriously cut down by the court, proceeded forthwith to bring the judicial decisions to naught, and to wreak vengeance upon the foolhardy tenants who had made the daring venture of endeavouring by process of law to check the confiscation of possibly the last remnant of property in their little holdings. This, unhappily, the law left it fully open to a landlord to do. The power of eviction for the unpaid arrears of the very rent that had been reduced in court remained in the landlord’s hands, and unfortunately, in not a few cases, it was a power exercised without mercy. To a tenant heavily encumbered with arrears the legal right of access to a court for the fixing of a fair rent was, in this state of the law, nothing better than a mockery. A decision of the court, effecting even a notable reduction of his rent, could be of no avail to protect him from ruin, if the landlord chose to exercise the power of eviction. That decision indeed might itself become the occasion of his ruin, suggesting to a heartless landlord the exercise of that formidable power as one of the means by which the decision of the court might be frustrated.”

My Lords, one other point and I have said all I intend to say upon this part of the matter, namely, as to there being no immediate and self-operating effect, so to speak, or automatic effect on the passing of the Act itself. I really do feel, with great deference, that I must have failed to convey to your Lordships as clearly as I ought to have been able to do the pertinence of this. The pertinence of this is that the charge against my clients is that they, under sham and pretence of endeavouring to redress social grievances, kept up an agitation for purposes partly political, partly personal, but that there was no real social grievance to redress. I am meeting that part of the case and that suggestion by showing what the grievances were, and what their action in relation to

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those grievances was; and to show your Lordships that their action in relation to this Act and after this Act was all along the line directed to Parliamentary action and redress through the operation of Parliament by fresh legislation, by amendments of the existing Acts on the very points of which complaint was made, and from which irritation and causes of disturbance were flowing.

In that relation I wish to say that Mr. Parnell made a suggestion which, if it had been complied with (and, like a good many other suggestions, it has been applied in a recent Act), there might have been immediate relief given to the whole class of the tenantry of Ireland who came within its provisions. That suggestion was that the Government should in their Act fix a datum line for agricultural rent in Ireland with reference to the Government or Griffith's valuation; that is to say, that they should upon the passing of the Act declare that after the then next rent-day the rent of the particular holdings, should it be a certain per centage above or a certain per centage below, should be fixed with reference to one datum line, giving the right to the landlord, if the result of the datum line being fixed was to fix the rent at too low a point, the right of appeal; giving to the tenant, if the effect was to fix the rent at too high a point, the right of appeal also. That principle has been adopted, as I shall show your Lordships in reference to an Act passed by the present Government in the year 1887, as to which I shall have to say a word or two hereafter. Every one of the points I have now adverted to which have hindered the full benefits which the Legislature intended to flow from this Act, every one of the points which I have mentioned as defects in the Act were pressed by one or other of the Irish members upon the House of Commons, supported by independent members in the House of Commons, again and again and again with pertinacity, and, I have no doubt, in the opinion of many with obstructive pertinacity.

And now I will show your Lordships what took place after the Act was passed, and the attitude of the Irish members in relation to it. Their view was that, with the object of avoidance of expense to the individual tenants, there should be tests cases selected from various parts of Ireland—not the most extreme cases of rackrenting, but fair average cases, selected as tests all over the country, and that those properly presented to the judicial tribunal should receive the aid of the Land League, in the hope, and in the belief that if that course were followed, it would lead to inexpensive settling of rent disputes outside the court, on a large scale. They did not regard this Act of 1881, for the reasons, amongst others that I have given, as satisfactory. They looked for the ultimate remedy where the Government of the day now look for it; in the ultimate scheme of creating in place of a mere tenant cultivator of the soil occupying proprietorship in the land. But pending that, they had prepared and were preparing test cases for this purpose, at the very time when the Executive were advised to take the step they did of imprisoning the leaders of the Irish movement, and imprisoning the local leaders or heads of the local branches of the Land League; and that scheme for the carrying through of test cases was not accomplished.

But, my Lords, I do not know how I can convey to your Lordships' minds the state of the matter. I would like to feel that I had your minds following in the line or train of thought which I am endeavouring to submit, for I still feel that this is most pertinent to the point. There were other reasons why the Irish members could not be parties to advising the Irish tenants to rush wholesale into the court. The expense would have been enormous, and has been enormous—so much so, that in the majority of cases where large reductions have been made, I greatly doubt whether even yet the Irish tenants have to any considerable extent received the benefit of them, because the cost of the judicial fixing, the costs of appeal which almost invariably, if not still, certainly in the earlier years under this Act, followed, and the course which was pursued by the landlords entailed upon the tenant class in costs, in the mere fixing of the rent reductions, an expense which it would take a considerable number of years of those reductions to recoup them for.

But more than that. They had not faith in the constitution of the Land Commissions. They were not of the tenant class. They were mainly drawn from another class, and it was necessary, in their view, to keep up a pressure of public opinion, that the Land Court might, in fact, be made in some real sense effective for the work for which it was intended, and that was all the more necessary because there was another

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counter influence at work—I hesitate not to say it—directed to paralysing the action of the Land Commissioners in Ireland. That was the action of the House of Lords, who, in the very year after this Act had passed, and before its operation had begun to be felt in Ireland, appointed a committee to inquire into the operation of the Land Act of 1881, as Lord Selborne expressed it, like mischievous children who, having planted flowers in their bed one day, proceed the next to pull them up by the roots to see whether they are growing or not. It was necessary to excite, it was necessary to maintain public opinion in Ireland if this Act—well-intentioned and broad, and liberal in its spirit—was not in its administration to be wholly and totally impaired and defeated. And so striking, my Lords, was that conduct of the House of Lords, the same House that was responsible for the Compensation for Disturbances Bill being rejected, the same House whose action has given force and vigour and vitality to the Land League in Ireland, that the House of Commons considered it their duty to pass a resolution for which, so far as I know, there is no parallel or precedent in history, passed on the 27th of February 1882, before this Act had been in operation for one year, that parliamentary inquiry at the present time into the working of the Irish Land Act tends to defeat the operation of that Act and must be injurious to the interests of good government in Ireland.

My Lords, there is the justification, ample I submit it is, for the position which the Irish members took up in relation to that Act, and why they wisely, properly, prudently, as I conceive, and as I submit, warned the tenant class from rushing indiscriminately into it.

I do not know whether it would be asking your Lordship too much if I asked you not to sit until Tuesday—not to sit to-morrow, in other words.

(*The President.*) We will not do so.

(*Sir C. Russell.*) I should be very grateful to your Lordship. May I mention one other matter to your Lordships. Your Lordships will recollect that you made an order authorising the release upon a certain assurance being given of Mr. Harrington and Mr. O'Brien. If your Lordships are not already aware I should desire to say that both of those gentlemen have communicated to me that they most fully appreciate and thank your Lordships for the consideration which you had intended to show them, but they do not feel at liberty to accept their freedom, giving that assurance at present, but I have to ask your Lordships, it is not immediately necessary, but it will be next week, for an order for their attendance here, of course in custody, and when they are here attending in custody for liberty of access to the solicitor who instructs me and my colleagues during the progress of the proceedings.

(*The President.*) Yes; whenever you tell me that you think it necessary.

Adjourned till Tuesday next, the 9th instant.

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,

PROBATE COURT, No. 1,

Tuesday, 9th April 1889.

(*Sir C. Russell.*) My Lords, on Thursday I had troubled your Lordships with some historical account of the Land Act of 1881, and I was pointing out the reasons why that Land Act had not in its effect been immediately felt over the whole of Ireland. I do not intend giving your Lordships the rest of the history of the remedial land legislation, or to trouble you with anything like the same length. I referred to that earlier part of it with the mere purpose of showing your Lordships that the action of the Irish Parliamentary party dictated mainly and guided mainly by Mr. Parnell, whom I and my learned friend Mr. Asquith specially represent, was a constitutional action for the bettering of the condition of the people of Ireland by the action of Parliament, and I need not say that if that is the right description of the main character of their policy, it is a statement that they were pursuing the best methods of putting down crime and outrage by striking at the causes from which they believed crime and outrage sprung.

My Lords, I had mentioned the fact of the arrest of the leaders of the movement and of a number of others who might not properly be described as leaders. At the time those arrests took place, the Land League had gone to very considerable expense in preparing for submission to the Land Court of some thousand test cases, representing various classes whose claims to reduced rent it was proposed to submit to the Land Court. I have, at this stage, to make a passing reference to the Ladies' Land League. This Ladies' Land League existed for a short time before the suppression of the Land League proper in October 1881, and it was finally dissolved by the action of Mr. Parnell soon after the release from Kilmainham, namely, in August of 1882; and I may here mention that upon the occasion of the dissolution Mr. Parnell undertook to discharge the liabilities which had been undertaken by the Ladies' Land League. Those liabilities were mainly liabilities in respect of the maintenance of suspects in prison, the relief of the families of suspects, the defence of a number of prisoners, and the assistance of evicted tenants. I will dismiss this matter by saying that one of those liabilities had relation to a matter of which the Attorney-General has given evidence. I refer your Lordships to the evidence of Mr. Ryan, solicitor, at pages 2821 and 2822, where he speaks of having received a cheque signed, I think, by Mr. Parnell and by Mr. Arthur O'Connor for a sum, as well as I recollect, of 50*l.* for the defence of certain persons who had been charged in connexion with the blowing up—or with the attempt to blow up, rather—a house called Weston House.

I may dismiss, I think, the story of the Ladies' Land League very briefly; indeed, I doubt if I should have referred to it at all, but to remind your Lordships of a statement of a rather marked kind which the Attorney-General was instructed to make in his opening of the case. Your Lordships will find it at page 15 of the opening, on the second day. Referring to Miss Reynolds, who appears to have been a prominent member of that body, he used this language: “Whose career will be traced, whose course through the country will be traced by the deeds which followed her agitation.”

When that statement was made by the Attorney-General it conjured up in my mind a picture of deeds of bloodshed and of violence following the appearance of this lady wherever she went through this country; a picture of this lady wading through blood and leaving bloody foot-prints behind her. Your Lordships have heard the whole of this case; you have had volumes of evidence, and I do ask where is there to be found in any part of this evidence any justification for that broad statement? Of course, as I have said, that statement was made upon instructions. Upon whose evidence? Where is the justification for it?

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My Lords, while in Kilmainham, Mr. Parnell was engaged in preparing a measure which afterwards was adopted, piecemeal, by successive governments and different parties. He had the permission of Mr. Forster to have an interview with Mr. Maurice Healy, who, I believe, is one of the persons named here as accused, who is a solicitor in considerable practice and of considerable ability in Cork, and Mr. Parnell and Mr. Healy during Mr. Parnell's imprisonment were engaged in preparing a bill dealing with the question of arrears and dealing with the question of admission of lease holders, and with some other matters of minor importance. Now, my Lords, I wish here to make one statement intelligible to your Lordships. It is not denied by Mr. Parnell, it is not denied by his colleagues that he advised the tenants to combine for their own protection; that he did not differentiate in advising this combination. Whether this be right or be wrong I wish to state it clearly and unmistakeably; he did not differentiate between what may be called the strong tenants and the weak tenants. His object was mainly the protection of the weak tenants. He believed, and I shall justify that I think by figures which cannot be questioned, that in cases of all tenants, some in better condition, some in worse condition, the rents which under their supposed contracts they are undertaking to pay, were excessive rents and rents which could not be paid out of the land, and he thought it perfectly justifiable undoubtedly to get a combination, in which all having an equitable claim for reduction should act as combined bodies, the strong in their combination protecting the weak.

My Lords, as Hansard will, in the course of Mr. Parnell's examination (I do not stop to read it now), disclose—he had, in his place in Parliament, publicly, when the Land Act of 1881 was under discussion, pointed out that the trouble, the disturbance, would come from the smaller and weaker class of tenants, and during the progress of that Bill he, from his place in Parliament, offered that if the Government of the day would bring in an Arrears Bill dealing with the smaller class of tenants below a given point in valuation, that his, Mr. Parnell's influence, and all the influence which he could command, would be directed to urging and bringing pressure of opinion to bear upon the larger tenants and those better able to pay. Therefore, from the first, whether his policy was right, or whether it was wrong, it was an openly declared policy, and one which undoubtedly, if effect had been given to it, would have saved a great deal of disaster and a great deal of trouble.

The arrears portion of Mr. Parnell's Bill was adopted in the succeeding year. The Bill was prepared in 1881, and it was adopted in the succeeding year. The portion of his Bill which related to the leaseholders was not adopted until a later period, not till 1887, and when the government of parties had changed, and the party now in power passed the Leaseholders' Bill of 1887, tardily, piecemeal, but still passed it. Tardily, although the mischief to which it was directed was still going on, when, as I have before adverted to, other matters more important supervened, the measure itself was deprived of a great deal of its efficacy.

My Lords, I pass from that matter, and I have little more to say upon the history of the land legislation. In the spring of 1882, 1,000 men, or about 1,000 men, were lying still in prison, in Kilmainham, under the circumstances that I have previously adverted to, with no definite charge against them, with no prospect of being brought to trial as face to face with their accusers. In this state of things there was a growing feeling, and it is not wonderful that it should have existed and grown, that this condition of things could not be continued. The country was not becoming more peaceful, crime was not lessening, on the contrary, disturbances were greater, crime on the increase, and in the spring of that year it would appear that some of the Ministers of that day, notably Mr. Chamberlain, was in communication with Captain O'Shea to whose evidence I have now to refer your Lordships. Then it was that those interviews, in relation to which Captain O'Shea has spoken, took place between him and Mr. Parnell, and as regards this part of the case, except on one or two points, which are not perhaps of the first moment, but still of some moment, there is little criticism to make upon Captain O'Shea's account of the matter. Mr. Parnell said in effect, "Pass an Arrears Bill, drop the Coercion Act, which has not answered its purpose, do not trouble about the question of release of myself and my colleagues, that will come in time; the point is to go at the causes, as we believe them to be, of the disturbance of the country," and in the result that course was adopted. Mr. Parnell undoubtedly conveyed to Captain O'Shea clearly and distinctly that he desired to meet all the

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[Continued.]

executive of the League including Mr. Davitt, including Sheridan, including Brennan, all the executive of the League, in order that he might explain to them the grounds and justify the course he had taken in relation to that which may be called a negotiation, and which afterwards was called the "Kilmainham treaty," and that he might bring them "in a line" with his own course of action, and justify the course of action he had taken before the country and before his colleagues. Captain O'Shea is utterly mistaken in saying, according to my instructions, that any exception was made in the case of Brennan. Why such an exception should be suggested I know not, and I shall presently show your Lordships there is practically no evidence whatever against Brennan in the course of this case. But it is suggested by Captain O'Shea that Mr. Parnell stipulated for an exception in Brennan's case, and that he was not to be immediately released. In the same breath Captain O'Shea has distinctly, in terms, mentioned that the release of Mr. Parnell was not a matter to be put forward, that that would come in good time; the other men were the important parties to be considered.

I think I can give your Lordships an exact account of this by the mouth of Captain O'Shea himself. I have no right at this moment to read this, except that the documents, which, if Captain O'Shea were recalled, as I reserved the right to recall him, would speak for themselves. I was only going to refer to his own contemporaneous letter, and his own contemporaneous speech in Parliament. It is convenient that I should read them now, and if my friend desires, I should recall Captain O'Shea for the purpose of putting them to him, or for any other purpose, of course I should pursue that course. The first is his speech—the matter was brought before the House of Commons by the late Mr. Forster. I am reading from the speech at this moment. I cannot give your Lordships the exact day, but it was in May. I am only going to trouble your Lordships with a very short extract. He says this: "Their conversation" that is to say, the conversation between him and Mr. Parnell, "indeed, was merely——"

(*The Attorney-General.*) What are you reading from, Sir Charles?

(*Sir C. Russell.*) From Hansard.

(*The President.*) Whose speech is that?

(*Sir C. Russell.*) Captain O'Shea's, my Lord.

"Their conversation, indeed, was merely that of personal friends, and
 "certainly not of political allies, which the House was aware they had never been
 "held to exactly be. Although he made no remark at the time, he observed with
 "surprise ——"

That is Captain O'Shea, your Lordships will understand.

"He observed with surprise, there was a total absence in the honourable
 "member of rancour or ill-feeling."

The honourable Member was Mr. Parnell. I need not again explain that.

"On the contrary, the honourable gentleman told him of the kindness and
 "consideration he had received in Kilmainham, and asked him to bring forward
 "another Irish grievance in Committee of Supply, and that was that prison
 "officials in Ireland were very much worse paid than the prison officials in
 "England. When he (Mr. O'Shea) expressed his opinion that the continued
 "imprisonment of the suspects was exercising a most pernicious effect in Ireland,
 "and his hope that the Government would make his release permanent, the
 "honourable member replied—and he afterwards took a note of what the
 "honourable gentleman had said—'Never mind the suspects, we can well afford
 "to see the Coercion Act out. If you have any influence do not fritter
 "it away upon us; use it to get the arrears practically adjusted. Impress
 "on every one your own opinion as to the necessity of making the
 "contribution from the State a gift and not a loan; and, further, the equal
 "necessity of absolute compulsion. The great object of my life, added the
 "honourable member, is to settle the land question. Now that the Tories
 "have adopted my view as to peasant proprietary, the extension of the Purchase
 "Clauses is safe. You have always supported the leaseholders as strongly as
 "myself; but the great object now is to stay evictions by the introduction of an

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“ ‘ Arrears Bill.’ He (Mr. O’Shea) proceeded then to speak of the demoralisation of the country, of the no rent manifesto, of Captain Moonlight, and of other intimidators. The honourable gentleman replied—‘ Let eviction cease, and terrorism will cease. The Moonlighters are sons of small tenants threatened with eviction, who believe the only escape for themselves and families, is by preventing their more solvent neighbours paying their rent.’ ”

That was followed by a letter which was published in the papers of the day of the 18th May. That already appears in the evidence of Captain O’Shea at page 415. The copy which appears to have been put in, is one addressed to the “ Freeman ”; my recollection is, it also appeared in the London papers, amongst others, in the “ Times.”

“ Sir, Lest there should longer in the public mind be the slightest misconception as to my repudiation of Mr. Forster’s public version of my private conversation, I beg that you will insert the following——”

Then this part of the letter is conversant with the interview which Captain O’Shea had with Mr. Forster, and I think also with others.

(*The President.*) With Mr. Parnell or Mr. Forster?

(*Sir C. Russell.*) Mr. Forster and others, which is not germane to the point I am now upon. Then he proceeds:—

“ Now as to the memorandum alleged by Mr. Forster to represent my conversation with him on the 30th of April. In it he informed the Cabinet that I had used the following words——”

Then these are the words:—

“ The conspiracy which has been used to get up boycotting and outrages will now be used to put them down.”

Then Captain O’Shea proceeds:—

“ The following are the facts. I myself knew nothing about the organisation of the Land League. But I told Mr. Forster that I had been informed by Mr. Parnell the day before, that if the arrears question was settled the organisation would explain the boon to the people and tell them they ought to assist the operation of the remedial measure in the tranquilisation of the country. I added that Mr. Parnell had expressed his belief that Messrs. Davitt, Egan, Sheridan, and Boyton would use all their exertions, if placed in a position to do so, to advance the pacification, and that Mr. Sheridan’s influence was of sufficient importance in the west, owing to the fact that he had been the chief organiser of the Land League in Connaught before his arrest, while Mr. Boyton had held a similar appointment in the province of Leinster. On these points I heard no more, I know no more, and I said no more.”

If there be, as I do not think there is, any material difference between the account which Captain O’Shea gave in the box and the account this contemporaneous statement proves, I need hardly point out to your Lordships that the letter would be more reliable, but I think in the box Captain O’Shea did make a statement substantially agreeing with what I have pointed out. It is a little remarkable; he is asked, in the course of his cross-examination I think it is, whether that letter is a correct statement of the facts, and he says that is correct. Your Lordships will observe there is no suggestion in any part either of the speech or of the letter of the exception of any particular person from the question of release, and upon that point, as I am instructed, Mr. Parnell will assure your Lordships that there was no such exception suggested by him, and that there was no reason that he was aware of for such exception.

I shall have, of course, at a later stage, both with regard to Boyton and Sheridan, to point out the broad statements made as to what they did and the part they played, and to show your Lordships how utterly insignificant the evidence is supporting the statement made against either one or the other of those gentlemen. The question whether Sheridan was or was not mixed up with the Invincibles stands wholly apart and distinct. The Attorney-General was instructed to say, again quite inaccurately, that a true bill was found against Brennan, and a true bill found against him in connexion with the Invincible conspiracy.

(*The Attorney-General.*) Where is that?

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(*Sir C. Russell.*) I shall, at a later stage, point out and give the exact reference. Also the Attorney-General made a similar statement in relation to Mr. Patrick Egan, but there is not a tittle of evidence whether or not there was a question of the issue of a warrant against Egan under Mr. Forster's Act. I do not know, but all I can say is that there is no proof of a warrant under that Act, even at the present moment. However, I do not desire to anticipate what I have to say upon that matter.

On the 2nd of May Mr. Parnell and his colleagues were released from Kilmainham. On the 6th of May Mr. Davitt was released, and it is perfectly true that Mr. Parnell did desire straightway to see Mr. Davitt and to explain to Mr. Davitt, he having been then for a considerable time imprisoned in Portland, and having no knowledge of what was going on outside, to explain to him the position of things.

Now, my Lords, what was the position of things? For, in spite of the way in which it has been sought in the speech made by the Attorney-General in this case, and in the particulars which have been delivered, or the so-called particulars which have been delivered, it has been sought somewhat to tone down the gravity of certain accusations—it would be discoverable to your Lordships that the writers of “Parnellism and Crime” intended to convey to the public mind that Mr. Parnell and Mr. Parnell's colleagues knew of, and were parties to, a conspiracy—what, then, was the state of things? My Lords, the state of things was this: that at that moment a signal triumph of the policy of Mr. Parnell had been achieved. The Government had agreed to make the Arrears Bill, to which he attached great importance, a question of Government policy; they had reversed the action and the policy of Mr. Forster and of Lord Cowper. Mr. Forster had resigned, Lord Cowper had resigned; and in their stead were sent Lord Spencer and Lord Frederick Cavendish—a man universally respected and universally esteemed; than whom no more amiable man probably in public life has been seen in our time, or who had fewer, if any, enemies. They went to Ireland, Lord Spencer and Lord Frederick Cavendish, bearing the olive branch in their hands—the first time, I may almost say, that it had been borne since the Lord Lieutenancy of Lord Fitzwilliam. They were received with acclamation. There was no hollow pretence in it. A change was recognised—a change pointing to better days, to a better understanding of the Irish question; to more weight being given to the policy of the leaders of Ireland. And then comes that tragedy on the very day of their arrival in Phoenix Park.

My Lords, the most malignant enemy of the Irish people could not have struck a more malignant blow; and it is indeed hard if public men are to have accusations levelled against them for complicity in so foul a story, and of subsequent condonation of so foul an act, and to be held up to public obliquy and opprobrium when they raise their voice in condemnation of that dastardly deed, as hypocrites professing sentiments of abhorrence which are assumed for the occasion. Lord Frederick Cavendish's death undoubtedly was not even within the objects of these wretched men who had embarked upon this detestable enterprise. Lord Frederick Cavendish met his death because with the true instincts of a brave man, he was fighting against the murderers, in defence of his friend and companion. What was the effect upon Mr. Parnell, upon Mr. Dillon, upon Mr. Davitt, Mr. Justin McCarthy, and others who at that time happened to be in London? We have had an account of that from Captain O'Shea. Were these men acting? Were they assuming a part? In the interview with the “Irish World” which has been read, Mr. Henry George described the condition in which he found these gentlemen. Captain O'Shea speaks of Mr. Parnell's broken health and broken-down appearance. You have the facts stated that so horrified and dismayed did Mr. Parnell appear to be, yielding to a moment of despair, he offered to Mr. Gladstone that he should retire from public life. Was all this acting? Was this the grossest hypocrisy, or was it the conduct of men deeply impressed with the horror of what had occurred, anxious to share in every way they could their detestation of what had happened?

The Manifesto has already been read. It is at page 170. The Attorney-General was instructed to say, in reference to this Manifesto, that Mr. Parnell signed it unwillingly. Where did he get that from? Whence came the instructions for that statement? Who has alleged it? Captain O'Shea has denied it, and has said plainly

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and unmistakingly Mr. Parnell was a willing and assenting party to it. My Lord, this is the Manifesto :—

“ To the People of Ireland,—On the eve of what seemed a bright future for
 “ our country, that evil destiny which has apparently pursued us for centuries, has
 “ struck another blow at our hopes, which cannot be exaggerated in its disastrous
 “ consequences. In this hour of sorrowful gloom we venture to give an expression
 “ of our profoundest sympathy with the people of Ireland in the calamity that has
 “ befallen our cause, through a horrible deed, and to those who had determined at
 “ the last hour that a policy of conciliation should supplant that of terrorism and
 “ national distrust. We earnestly hope that the attitude and action of the whole
 “ Irish people will show the world that assassination such as has startled us
 “ almost to the abandonment of hope for our country’s future is deeply and
 “ religiously abhorrent to their every feeling and instinct.

“ We appeal to you to show by every manner of expression that almost
 “ universal feeling of horror which this assassination has excited. No people feels
 “ so intense a detestation of its atrocity, or so deep a sympathy for those whose
 “ hearts must be seared by it as the nation upon whose prospects and reviving
 “ hopes it may entail consequences more ruinous than have fallen to the lot of
 “ unhappy Ireland during the present generation. We feel that no act has ever
 “ been perpetrated in our country during the exciting struggles for social and
 “ political rights of the past fifty years that has so stained the name of hospitable
 “ Ireland as this cowardly and unprovoked assassination of a friendly stranger, and
 “ that until the murderers of Lord Frederick Cavendish and Mr. Burke are brought
 “ to justice, that stain will sully our country’s name.

“ (Signed) CHARLES S. PARNELL.

“ JOHN DILLON.

“ MICHAEL DAVITT.”

“ My Lords,” said the Attorney-General, after reading this (for I am reading from the Attorney-General’s opening) “ it will be proved by Captain O’Shea that Mr. Parnell
 “ objected to sign that document, and only signed it under the necessities of the case,
 “ and objected to its terms.”

At the same time, or about the same time, there appeared in the “ Standard ” a letter from Mr. Davitt, the whole of which I do not propose to read to your Lordship, but a passage from it I desire to read. It appeared in the “ Standard ” of the 10th of May 1882, and I take leave here to make a passing acknowledgment, and I think it is due, to the general tone with which the Press of England received the account of the horrible event, and to the general attitude that the British public maintained in regard to it, with hardly one exception. The “ Times,” I am sorry to say, was one of the exceptions. With hardly an exception, the part of the Press that had been found the most hostile to the Irish leaders joined in relieving them from any complicity or part in this matter. The attitude of the general public under circumstances of great excitement, which might have led to demonstrations of a fierce kind against the Irish people, did not take place.

The people seemed to have under the circumstances exercised entire control, and the Press of the country did nothing to raise that aggravated feeling.

On the 10th of May, Mr. Davitt wrote to the “ Standard ” a letter, and he began by acknowledging the temper in which they had referred to the occurrence.

“ Sir,—The admirable temper that has marked your language since the
 “ horrible occurrence of Saturday last convinces me that any reply I may make to
 “ the questions you address to me in your leader of this morning will receive a
 “ fair hearing. Believing this, I would feel that I was neglecting a duty to
 “ myself and an opportunity of vindicating, to the best of my ability, the Land
 “ Movement in Ireland, if I permitted your remarks of to-day to pass unanswered.
 “ For the opinion you express of the sincerity of my condemnation of the murders
 “ that have excited your just indignation, and for your belief that neither
 “ Mr. Parnell, Mr. Dillon, nor myself would be guilty of an alliance with assassins,
 “ I am thankful, as it is in marked contrast with the expressions of some of your
 “ contemporaries.”

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Then he speaks of his having just come from prison—not knowing what has taken place meanwhile, and he is, as most of the public are, unaware of the various denunciations of crime that had taken place, and he seems also to be unaware of those.

[" I came out of Portland prison at three o'clock on Saturday afternoon last. I had been confined in solitude for fifteen months without having from the hour of my reception to that of my release seen a newspaper or even received a communication that did not pass through the hands of the governor. Yet in face of these facts, which cannot be unknown to those who understand the rigorous discipline of a convict prison, you ask me to come forward and make a clean breast of information that would throw light upon the atrocity of last Saturday. You must have overlooked the situation in which I had been placed from the 3rd of February 1881 to the afternoon of the day of Lord Cavendish's murder, when you implied that I, in common with Messrs. Parnell and Dillon, must possess information that would enable the assassins to be tracked. I am assured by those gentlemen—though no such assurance is needed by anyone who knows them—that they have no such information. They could not therefore lend any more assistance in bringing the assassins to justice than that given in the manifesto issued in our names and placarded throughout the length and breadth of Ireland, so that our people should see that we placed the murderers of Lord Cavendish in their true position, as assassins of the people's cause, who had forfeited all claim to shelter or sympathy, and whose capture alone could remove the stain which their crime has left upon the character of Ireland.

" You next call upon my friends and myself to employ our recovered liberty to give the world solid and unanswerable guarantees of the loathing with which we regard all forms of outrage, by making a fresh pilgrimage through the country, and to never desist from denouncing assassination until these hideous crimes are exorcised from the land. I agree with you, sir, that such a pilgrimage ought to be made even now. Had it been made before, it is my firm belief that the terrible tragedy of the Phoenix Park, and many another tragedy, which, though it has not attracted so much attention has wrung heart-strings as bitterly, would never have occurred. Why have there not been such pilgrimages? Let the facts answer, so far, at least, as I am concerned. From the first initiation of the Land League I warned the Irish people against outrages as the greatest danger of the moment.*]

" When I went to America in May 1880, wherever I spoke from New York to San Francisco, I did my best to lay the demon of revenge, which bitter memories of eviction evoke in the hearts of exiled millions. On the day of my arrival in Ireland from my last lecturing tour in America in November 1880, in an interview published in all the Irish newspapers, I denounced violence and outrage in the strongest terms I could command. On the following day I did the same thing from the platform, and pushing on the very pilgrimage you now propose to me, I spoke in the same way in all the four provinces of Ireland. In addition to this I issued instructions of similar tenour to the organisers of the Land League, and I drew up, printed, and distributed circulars pointing out to the people the inevitable consequences of revenge being allowed to supplant the moral forces which alone could win their social rights, and in the name of the Land League called upon its branches throughout the country to deal with the outrage frenzy as the one paramount danger which threatens the existence of the movement with destruction, the hopes of our peasantry with annihilation, and the character of our people with the stigma of assassination."

Then he proceeds thus:

" These are the facts. In verification I appeal to the reports of the Irish Press, of the American Press, and of the Government shorthand writers. There is another fact. Ere I had completed the seventieth day of my pilgrimage I was arrested, and since then until 3 o'clock last Saturday afternoon, a period of fifteen months, I have been buried in Portland Prison.

* The passages within brackets were not read.

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“ Now, sir, I have answered your questions, let me put a question to you. “ Supposing that I, or anyone else, were to start on the pilgrimage you propose, “ and that after we had gone so far news were to come to you that we have been “ beaten into silence with the bludgeon, or stricken down with the bullet, or cut “ to pieces by the knives of assassins, what would you say? Would you not say “ that we had been silenced by those who wished outrages to continue? What “ then will you say of the no less effective manner in which I was silenced? Was “ it not also that outrages might continue? Was it not in furtherance of an “ atrocious policy that murder and outrage should follow in the wake of the Land “ League that Irish landlordism might be represented to the British people as “ battling, not with justifiable reform, but with social savagery? Does this seem “ to you too wicked a policy to be credited? Look at the facts. Is it not the “ policy that has been carried out by Mr. Forster? I speak of myself only as an “ example. Is it not true that my arrest was followed by the arrest in every locality “ of the men who were the safest and surest leaders of the popular movement, the men “ who most stedfastly and strongly set their faces against outrage? Is it not a fact “ that when they were arrested, conservative and prudent men were driven into “ silence by fear of arrest, and the guidance of an excited people, smarting under the “ most cruel provocations, was left to the secret councils of irresponsible passion? “ I am not charging Mr. Forster with being a monster. Personally he is, I doubt “ not, an estimable gentleman; but weaknesses, which in private life are “ unobserved, become so magnified when he who is subject to them is made the “ absolute ruler of a nation, that they have the effect of crimes. Mr. Forster “ found in Ireland a traditional policy of government. He followed it; or “ perhaps, to speak more correctly, it controlled him. What are the facts of “ Irish history? Are they not that over and over again seditious conspiracies “ have been allowed to grow, nay, even have been stimulated, in order that a “ certain stage of criminality should be reached by those whose actions and plans “ were known to the police, so that the blow should be struck at their movements “ with greater éclat, and the chastisement given be all the more effective from the “ numbers involved in the revolutionary design? If such a policy has not been “ pursued in connection with the present social movement, I have been deceived “ into believing that my re-consignment to penal servitude was in consequence of having endeavoured to thwart such a policy at the time when “ it began, in my opinion, to show itself to all who are conversant with “ Castle tactics in Ireland, and who know the desperate position in which Irish “ landlordism would be placed if English opinion could not be turned from the “ consideration of land reform and focussed upon outrages. I was either sent back “ to penal servitude in pursuance of such a policy or I was not. Mr. Forster, “ who, I suppose, ordered my arrest, can explain why I was struck down without “ any explanation given to me, or any chance afforded to defend myself against “ whatever charge had determined my arrest. Three weeks previous to that event “ Mr. Forster declared in the House of Commons, in answer to a question put to “ him by Lord Randolph Churchill, that I had been guilty of no act in connection “ with my ticket-of-leave that would justify the Government in cancelling that “ document. During those three weeks I was engaged almost every day in “ denouncing outrage throughout Ireland, in calling attention to undetected “ crime in a country having a police force of over twelve thousand, and in “ endeavours to expose what I fully believed to be numbers of manufactured “ outrages. If I was not arrested for this work, for what was I arrested? “ If upon secret information of ulterior designs, why not charge me with “ these and crush the founder of the Land League at a blow, by showing the “ priests and constitutionalists in Ireland that they relied upon a man who “ was leading them on to revolution instead of to a peaceful settlement of the “ land question. I challenge Mr. Forster, or whoever is responsible for my arrest “ to come forward now and declare upon what grounds I was deprived of liberty “ during the past fifteen months, or allow Dublin Castle to be under the imputation “ of having removed me from its path, because of my stand against the policy of “ conniving at murder and outrage. I am constrained to make this demand now “ from a conscientious belief that had I been permitted to continue my crusade

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“ against outrage, to have levelled all the influence of the Land League against
 “ the commission of murder and the mutilation of cattle, I could have prevented
 “ numbers of crimes that now stain the name of Ireland, and have averted the
 “ horrible deed of Saturday last. This is no vain boast. I refer Mr. Forster to my
 “ speech at Kilbrin, county Cork, a fortnight previous to my arrest, in which I
 “ predicted the accumulation of crime that would result from his policy, and held
 “ him answerable before God for the consequences that would inevitably follow
 “ from police, terrorism, and coercion.]*

Then, my Lords, in one final passage he says :—

“ I am a convicted Fenian. Very well, I am. It is true that I was convicted
 “ on a false charge sworn to by a salaried perjurer, whom I had never seen ere he
 “ confronted me in the dock at Newgate, but I do not wish to plead that.”

Mr. Davitt does not wish that to be misunderstood. He does not mean that he was not rightly charged with being a Fenian, but he does mean to represent that one of the persons—I think the man was Corydon—who was one of the witnesses—in the box gave false testimony in that particular matter.

[“ I would only ask any fair-minded Englishman to read a few chapters of
 “ Irish history, to put himself in imagination in the place of the son of an evicted
 “ Irish peasant, and to answer whether it is any stigma to an Irishman that he
 “ has been a Fenian? The people of Ireland do not think so. Nothing so shows
 “ the false relations into which the two countries have been brought by misunder-
 “ standing and mis-rule as that a man may be a criminal on one side of the Irish
 “ Sea, and a patriot on the other. And if it be said, as many unthinking Englishmen
 “ would say, that a Fenian is a man who wishes to burn, to blow up, to murder, I
 “ will not reply even to that, though I know it to be untrue. I will only ask if it
 “ be just to hold that the man of mature years must be held to the opinions of his
 “ youth. And this, at least, let me say for myself. If in the hot blood of early
 “ manhood, smarting under the cruelties and indignities perpetrated on my country
 “ I saw in an appeal to force the only means of succouring her, there has dawned
 “ upon my graver thoughts in the bitter solitude of a felon’s cell a nobler
 “ vision—a dream of the enfranchisement and fraternisation of peoples, of
 “ the conquering of hate by justice.

C “ I have suffered by their power, and, as I believe, by their ignorance and
 “ prejudice, but there is in my heart to-day no sentiment of bitterness towards the
 “ English people. The gospel of the land for the people is a universal gospel ;
 “ and in its triumph is involved the social regeneration of England, as clearly and
 “ as fully as the social regeneration of Ireland. In the heart of whoever receives
 “ it, rife bitterness and ancient hatred die away ; possibly this may not be under-
 “ stood by you. But one word at least let me say. If you would find a *modus*
 “ *vivendi* between the English and Irish people, it is easy ; treat us as equals.
 “ treat us as men.

“ Willingly will I go to Ireland to do whatever I can to further the peaceful
 “ doctrines I have always advocated ; but I am confident that nothing I could do
 “ or say in Ireland would strike as effectually at the fell purpose of revenge as the
 “ feeling of horror which has been sent like an electric shock through every home
 “ of Ireland by the slaughter of an innocent and inoffensive Englishman, under
 “ circumstances that have lent to the black deed every possible attribute of
 “ atrocity. Yet, further than this, there is a word I would say. How can I or
 “ anyone else protest with effect against outrages, when the most brutal and irri-
 “ tating outrages are being committed in the name of the law ; when tender ladies
 “ are sent to prison as persons of evil fame ; when huts that charity has erected to
 “ shelter the unfortunate are torn down, little boys are ruthlessly shot down by
 “ the constabulary, and men of the highest character are still held in goal on
 “ suspicion ?

“ I am,

“ Sir.

“ Your obedient servant.

“ London, May 10th.]*

“ MICHAEL DAVITT.

* The passage in brackets was not read.

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SIR CHARLES RUSSELL.

[Continued.]

Your Lordship will find, as I have pointed out, Mr. Davitt was under an impression, and he writes it under the impression, that there had not been any denunciation of outrage; he seems to think if a pilgrimage had been undertaken to Ireland that the fearful crime in Phoenix Park never would have been perpetrated. As I have said, he was unaware of what I have already indicated to your Lordships had taken place, which you will hear in fuller detail when the witnesses are called.

Now, my Lords, I call attention to this in passing. I shall make it clearer later, that the sole foundation upon which the suggestion is made, of knowledge of participation in and condonation of the atrocity of the Phoenix Park murders, are the forged letters, and your Lordships will find them running through the whole of the more serious allegations which constitute "Parnellism and Crime." I will only say one passing word, I have to consider apart and separately the story of the Invincible conspiracy in connexion with those letters. I would only remind your Lordships at this moment of the facts; taking the account of the witnesses called—by no means admitting it in part—the earliest appearance of anything like the Invincible conspiracy is first in October 1881. No one suggests the idea existing anywhere of that infernal society earlier than October 1881. I say no one suggested it earlier. There is a statement, as my friend Mr. Reid quite properly reminds me, that it was referred to a later date, but the earliest suggestion was then, and that was by one witness only, Delaney. Taking their statement—I know not whether the fact is so or not—the person who apparently first sets the thing on foot is Captain McCafferty, the American gentleman, who is referred to by the same Delaney, in company with one Tynan—I think, called No. 1—and lastly, according to the evidence given, the greatest number—and, I am happy to say, the number was so small—the greatest number suggested as having had anything to do with that conspiracy, directly or indirectly, in Dublin, was the number of 30 persons, and I shall presently call your Lordships' attention to the fact that the majority of those—I believe I am right in saying the majority of those—have been brought to justice, and have been punished, and some of them expiated their crime—I think five of them—on the scaffold.

The Arrears Act was passed in August 1882. I need not trouble your Lordships with its detail. In its effect it provided that if the rent due in 1881 were paid, and if there were antecedent arrears which the tenant was unable to pay, that those antecedent arrears might be by the order of the court wiped out by the payment of half the antecedent arrears not exceeding one full year's rent—a boon to the tenants certainly, and a much greater boon to the landlords, and certainly a matter of great moment to the peace of the country, as your Lordships will presently hear—for the question of arrears in Ireland is something quite different from the same question in this country; and I would wish that your Lordships should understand that—arrears may go on in Ireland accumulating for years and years, if allowance is made by the landlord. I am speaking now of very common cases; I do not say universally, but the great run of cases, instead of there being, as is the course here, the wiping out of a half-year's rent, if 50 per cent. is given, or the third of a year's rent, if 30 per cent. is given, simple time is given, and the landlord accepts the last amount, and the arrears go on rolling, so that the settlement of three or four years' arrears may represent a very much longer period. However, I do not desire to go in detail into that matter.

My Lords, the result of that Arrears Act was exactly in accordance with Mr. Parnell's anticipations in its effects upon the country, and here again I will ask to be allowed to show that by reference to figures. Now these figures I have already referred to before your Lordships in another connexion. They deal with the whole of the murders over the whole of Ireland, not merely with those of which evidence has been given as to the circumstances in the course of this case. That is a limited number. The figures show that, taking the two years 1880 and 1881, the average of the murders was 122; in 1882 alone, 26; and the average from 1883 to 1887, 4. These figures, which seem to us to be very important, are compiled from the statistics put in. As to firing at the person, the average of the two years, 1880 and 1881, was $45\frac{1}{2}$ cases. Total in 1882, 58 cases. Average of the five years from 1883 to 1887, 12·6. Incendiary cases, average of 1880 and 1881, 283. Total in 1882, 281; and average for the five years 1883 to 1887, 110. Cattle outrages, average 1880 and 1881, 128; total in 1882, 144. Average of the five years 1883 to 1887, 61. Threatening letters, average of the years 1880 and 1881, 1,764; total in 1882, 2,009; average of the five years 1883 to 1887, 389·8. Firing into dwellings, average of the two years 1880 and 1881, 105; in 1882, 117; in

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[Continued.]

the five years 1883 to 1887, 29·6. So that taking the whole number of offences which have been selected by the Attorney-General quite correctly as the most serious—murders, firing at person, incendiary cases, cattle outrages, threatening letters, and firing into dwellings—these are the total figures. Average for the two years 1880 and 1881, total 2,338; total in 1882, 2,635; average of the five years 1882 to 1883, 607. My Lords, the place from which these figures are taken and grouped in this order your Lordships will find in Arthur Charsley's evidence, at page 1951.*

I am also reminded, and properly reminded, that the result would be still more striking if there was an omission of the years 1886 and 1887, and my learned friend is quite right in calling my attention to that fact, because your Lordships will find, still supporting the argument I have been all along advancing, with recurrent pressure of distress, causes of recrudescence of crime, there was happening from 1886, 1887, and in 1888 a fresh cause of disturbance not attributed by anybody to the Land League or to the National League, felt universally in Ireland, namely, the abnormal fall which practically began to be marked in 1886 and 1887 and continued to 1888, which, in the opinion of all parties in the State, in the opinion of all classes in the community, required further intervention on the part of the Legislature.

(The President.) The abnormal fall in agricultural values?

(Sir C. Russell). Yes, my Lord. Indeed it would be correct to say that, even including the whole of the years up to 1888, but certainly true in a marked way to say all the years excluding 1887 and 1888, that from the year 1883 crime of all kinds was really abnormally low in Ireland, including agrarian crime.

Now, my Lords, in October 1882 the National League was founded, and I have explained to your Lordships before why, in relation to the National League, we are able to put before you with full information and with full detail the proceedings of that body, the proceedings of its central executive, and the action which it took. It was founded at a meeting which was convened by a circular of the 18th September 1882, signed by Mr. Parnell, Mr. Davitt, Mr. Dillon, Mr. Thomas Brennan, Mr. Thomas Sexton, Mr. T. M. Healy, Mr. Arthur O'Connor.

“Imperial Hotel, Lower Sackville Street,
“Dublin, 18th September 1882.

“DEAR SIR,

“You are hereby invited to attend a Conference of Representative Men held
“in the Ancient Concert Rooms, Dublin, on Tuesday, on 17th October next, for the
“purpose of discussing a programme of reform for Ireland, which will be
“submitted for adoption by us, the chief feature of which programme will be the

* The following Table was put in:—

CRIME FOR WHOLE OF IRELAND.

In the following, the periods are taken thus:—

- 1880–81, Land League in force.
- 1882, Land League suppressed.
- 1883–87, National League in force.

	Two Years, 1880–81. Average for Two Years.	Total in 1882 alone.	1883–1887. Average for Five Years.
Murders - - - - -	12½	26	4
Firing at Person - - - - -	45½	58	12·6
Incendiary and Arson - - - - -	283	281	110
Cattle Outrages - - - - -	128	144	61
Threatening Letters - - - - -	1,764	2,009	389·8
Firing into Dwellings - - - - -	105	117	29·6
Totals - - - - -	2,338	2,635	607

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[Continued.]

“ uniting together on one central platform the various movements and interests
 “ that are now appealing to the country for separate sanction and support.

“ An early reply, stating whether you can be present at such Conference, will
 “ oblige.

“ Yours very truly,

“ C. S. PARNELL.

“ MICHAEL DAVITT.

“ JOHN DILLON.

“ THOMAS BRENNAN.

“ THOMAS SEXTON.

“ T. M. HEALY.

“ A. O'CONNOR.”

Address replies to Mr. Parnell, at above.

Your Lordship will have observed I have passed in the narrative, because I wish to keep it distinct, the point on which the evidence of Le Caron comes in, and the interview in London. I intend to follow that out in connexion with the American branch of the case, and to give that to your Lordship as a distinct matter. In answer to that circular a meeting was held on the 17th October, and I think I am right again in saying as to the foundation of this National League, as I have already said in relation to the foundation of the Land League, that your Lordship has had put before you by the counsel of the accused for the first time, the documents which show what the professed objects, the professed means, of each of those organisations, was.

“THE PROGRAMME OF THE NATIONAL CONFERENCE,

17TH OCTOBER 1882.

“ Resolved,—That an association be formed to attain for the Irish people the following objects :

“ 1st. National Self-Government.

“ 2nd. Land Law Reform.

“ 3rd. Local Self-Government.

“ 3th. Extension of the Parliamentary and Municipal Franchises.

“ 4th. The development and encouragement of the Labour and Industrial
 “ Interests of Ireland.

“ That this Association be called ‘ The Irish National League.’

“ That the objects of the League be defined as follows :—”

Your Lordship will recollect that the land movement was addressed entirely in its ostensible objects to the question of the land, and the urgency which then existed. I do not wish for one instant to convey to your Lordships the idea that there were not present to the minds of those who took part in it, also the national aim of obtaining for the Irish people, self-government. The pressing object and the pressing necessity of the case was the reform of the land law.

“ ARTICLE 1.

“ The restitution to the Irish people of the right to manage their own affairs
 “ in a parliament elected by the people of Ireland.

“ ARTICLE 2.

“ (a). The creation of an occupying ownership or Peasant Proprietary by an
 “ amendment of the Purchase Clauses of the Land Act of 1881, so as to secure the
 “ advance by the State of the whole of the purchase money, and the extension
 “ of the period of repayment over sixty-three years.”

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[Continued.]

Both of those points, I think, have been adopted ; at all events the main point.

“ (b.) The transfer by compulsory purchase to county boards of land not cultivated by the owners, and not in the occupation of tenants, for re-sale or re-letting to labourers and small farmers, in plots or grazing commonages.

“ (c.) The protection from the imposition of rent on improvements made by the tenant or his predecessors in title, to be effected by an amendment of the Healy clause of the Land Act of 1881.

“ (d.) The admission of leaseholders and other excluded classes to all the benefits of the Land Act, with the further amendments thereof included in the Land Law (Ireland) Act Amendment Bill of Mr. Redmond.

“ ARTICLE 3.

“ (a.) The creation of county boards, and the transfer thereto of the fiscal and administrative powers of grand juries.

“ (b.) The abolition of the principal of nomination by Government to membership of the following boards :

“ The Local Government Board,

“ The Board of Works,

“ The General Valuation and Boundary Survey,

“ The Board of National Education,

“ The Reformatory and Industrial Schools Board,

“ The Prisons Board,

“ The Fishery Board,

“ And the transfer of their powers to representatives elected by county boards.

“ (c.) The transfer to county boards of the management of union workhouses, lunatic asylums, and other institutions supported by local rates.

“ (d.) The substitution of local for imperial control in the appointment and management of the police.

“ (e.) The extension to county boards of the power to nominate county sheriffs, as at present exercised by municipalities in the case of city sheriffs.

“ (f.) The vesting in county boards of the right of nominating magistrates now enjoyed by Lord Lieutenants of counties.

“ (g.) The abolition of the office of Lord Lieutenant of Ireland.

“ ARTICLE 4.

“ (a.) The extension and assimilation of the Irish parliamentary and municipal franchises to those of England.

“ (b.) The adoption of the English system in the registration of voters.

“ (c.) The securing that any measure of popular enfranchisement introduced for Great Britain shall also be extended to Ireland.

“ ARTICLE 5.

“ Separate legislation to elevate the condition of agricultural labourers to secure :—

“ (a.) The providing of labourers' dwellings, with half-acre allotments in the proportion of one to every 25*l.* valuation in the case of all holdings, pastoral or agricultural.

“ (b.) The abolition of payment of poor rate in respect of labourers' dwellings.

“ (c.) The repeal of the quarter-acre clause so as to entitle labourers to outdoor relief during illness. Co-operation in the movement for fostering Irish industries by the appointment, in connection with each branch of the organisation, of an Industrial Committee, on which manufacturers, shopkeepers,

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[Continued.]

“ artisans, and farmers shall have proportional representation, and the functions
 “ of which shall be :—

“ (a.) To encourage the use and sale of Irish products.

“ (b.) To co-operate with the National Exhibition Company in securing
 “ the genuineness of articles offered for sale as Irish manufacture, and in the
 “ organisation of local exhibitions from time to time.

“ (c.) To obtain scientific reports of the industrial capacities of their
 “ various district, and stimulate the establishment of local manufacturing
 “ and cottage industries.

“ RULES.

“ The Irish National League shall consist of Branches and Central Council.

“ The Council shall consist of thirty members, twenty to be elected by County
 “ Conventions, and ten by the Irish Parliamentary Party. The branches in each
 “ county shall send delegates to an annual County Convention; and each delegate
 “ shall cast his vote for the candidate nominated to the Central Council in manner
 “ provided by the rules. Members of Parliament shall be ineligible for election
 “ to the Council by a County Convention.

“ The Branches to be organised, rules framed, and the method of nomination
 “ and election to the Council settled by an Organising Committee.

“ The Organising Committee shall consist of five members of the Mansion
 “ House Committee for the Relief of Evicted Tenants, five Members of the
 “ Executive of the Labour and Industrial Union, five members of the Council of
 “ the Home Rule League, and fifteen other gentlemen.

“ The Organising Committee shall have all the powers of a Central Council
 “ until the Council is elected, and no longer.

* [“ THE IRISH NATIONAL LEAGUE.

“ RULES FOR BRANCHES,

“ I.

“ Branches may be formed in parishes in the country, and in wards in the
 “ cities and towns; and there shall not be more than one branch in any parish
 “ or ward, unless with the sanction of the Central Council.

“ II.

“ Each branch shall be governed by a committee, which shall be elected
 “ annually, and shall consist of a president, treasurer, secretary, and six other
 “ members.

“ III.

“ The annual subscription shall be at the rate of 1s. for every 5l. valuation,
 “ and in no case shall it be less than 1s. or more than 1l.

“ IV.

“ The Treasurer of each branch shall forward 75 per cent. of all subscriptions
 “ received, and the secretary shall forward a monthly report of the condition of
 “ his branch, and such other information as the Central Council may desire.

“ V.

“ The branches shall elect delegates to an annual county convention as
 “ follows :—

“ Branches of one hundred members or under, one delegate, and one for
 “ every additional hundred members, but no branch shall be entitled to send
 “ more than five delegates.

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[Continued.]

“ VI.

“ Credential cards for the delegates to county conventions shall be forwarded to each branch by the Central Council.

“ VII.

“ All elections shall be by ballot.]”

Your Lordships will have observed that the circular proposed the uniting on one central platform of the various movements that are now appealing to the country for separate sanction and support. Those are pointed at in the rules as being the Mansion House Committee for the Relief of Evicted Tenants ; the Labour and Industrial Union, and the Home Rule League, a body which was the continuation of the Home Rule movement started about 1870 by Mr. Isaac Butt, as I told your Lordships.

I ought to have mentioned, lest it should be supposed I have omitted it, that at the same time that the Arrears Act was passed, was passed another of the Coercion Acts, as they are called, and I desire to mention it because an attempt was made by the Attorney General to account for the improved condition of matters in relation to crime by reference, not to the operation of the Land Act of 1881, plus the operation of the Arrears Act, but to the operation of that Crimes Act, or Coercion Act. In answer to that I will only say in passing that the experience under the previously existing Act, which continued in operation through 1881 and part of 1882, certainly does not support, but goes far to negative, the suggestion advanced by the Attorney-General.

My Lords, at the same time this address was presented to the Irish people, signed by Mr. Parnell, as chairman, by Mr. Biggar and Mr. Molony, as treasurers, by Mr. Healy and Mr. T. Harrington, as secretaries ; the organising committee being a Mr. Dawson, who was afterwards Lord Mayor of Dublin ; Mr. Sullivan, who was also Lord Mayor ; Mr. John Redmond, Mr. E. Leamy, Mr. Sexton, Mr. Davitt, Mr. O'Brien, Mr. Matthew Harris, Mr. Justice Little (a Canadian judge who had retired but was living in Ireland), Mr. A. Shackleton, Mr. George Delany, Mr. Thomas Mayne, Mr. Clancy, Mr. Hishon, Mr. Sheehy, Mr. Louis Smith, Mr. William Abraham, Mr. John O'Connor, Mr. J. Cardiff, and Mr. Richard Lawlor. The address is this :—

“ ADDRESS OF THE IRISH NATIONAL LEAGUE TO THE PEOPLE
“ OF IRELAND.

“ FELLOW COUNTRYMEN,—As the organising committee entrusted by the National
“ conference with the preliminary arrangements for the organising of the Irish
“ National League, we have the honour of submitting to you the accompanying
“ rules for the formation and guidance of branches. It is desirable that no time
“ should be wasted in putting the resolutions of the conference in force. The
“ necessity of close organisation, for the purpose of concentrating and giving a
“ definite direction to the National energies, is universally felt. It has been forced
“ upon public attention by the encroachments upon popular rights, which have
“ been going on in all directions since the power of union among the people was
“ relaxed. The landlord combination for the purpose of breaking the spirit of
“ the Irish tenant, the dismay which the present scale of judicial rents has created
“ amongst applicants to the Land Courts, and the confiscation of tenants' property
“ that is being effected wherever disorganisation has crept in, render it more
“ necessary now than ever that the Irish tenantry should be re-united in vigilant
“ and lawful association, for the purpose of protecting themselves from injustice,
“ and for seeking that full measure of land law reform which alone can secure
“ them against the perils of halting legislation. From the farming classes the
“ desire for organised effort has extended to the labourers, whose miserable
“ condition has been so long disregarded, and to the artisans, who see in the spirit
“ worked by a great National combination, a power which can nourish our decaying
“ native industries with millions of money now annually drained away into foreign
“ markets.

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“ With all these incentives to organisation, the Irish National League unites a
 “ programme of social and political reform which will gradually transfer all local
 “ power and patronage from privileged strangers into the hands of the people, and
 “ so fortify them for the work of National Self-Government, which is the inspira-
 “ tion of all our struggles. The National Conference has, with the most hearty
 “ unanimity, embodied these principles in the programme of the Irish National
 “ League. It remains for you now, in your various districts, to give immediate
 “ and practical effect to these resolutions, so that from the formation of local
 “ branches, the League may be able to proceed to the election for the Central
 “ Council, and may be able to offer to every section of the Irish people, the power
 “ and protection which organisation and discipline alone can ensure.

“ CHARLES S. PARNELL, *Chairman*.

“ JOSEPH G. BIGGAR, }
 “ W. F. MOLONY, } *Treasurers.*

T. M. HEALY, }
 T. HARRINGTON, } *Hon. Secs.*

“ *Organising Committee.*

“ C. DAWSON,
 “ T. D. SULLIVAN,
 “ J. E. REDMOND,
 “ E. LEAMY,
 “ T. SEXTON,
 “ MICHAEL DAVITT,
 “ WILLIAM O'BRIEN,

MATT. HARRIS,
 JUDGE LITTLE,
 A. SHACKLETON,
 GEORGE DELANEY,
 THOMAS MAYNE,
 J. J. CLANCY,
 D. J. HISHON,

DAVID SHEEHY,
 LOUIS SMITH,
 W. ABRAHAM,
 JOHN O'CONNOR,
 J. CARDIFF,
 R. LAWLOR.

“ *Offices, 39 Upper Sackville Street.*”

As your Lordship will see, the formation of that body was strictly of a representative kind. It held periodical conventions, conventions which for very many years were illegal and against the law until within a few recent years the Conventions Act was repealed.

My Lords, I pass over an intervening period and I come to a most important event, I mean the election of 1885. There had been, meanwhile, passed in 1884, a Bill which applied to England as well as to Ireland, and which for the first time enfranchised in any full measure the Irish people. This event is important in many ways, because up to 1885 a party or a minister, however anxious to be just or generous in his consideration of Ireland and of the measures which its condition required, had no certain representative voice of the Irish people to guide them. The Irish people had a majority, but not much more than a majority. How was that? This is a fact which I know the great bulk of the people in this country are ignorant of, and I should not be surprised if it came upon your Lordships as a new statement; but even previous to the Act of 1885 there had been a most complete disproportion of the electors in Ireland to the population as compared either with Scotland or with England. I will tell your Lordship what the results were. The result in the previous state of things was this: that taking boroughs and counties together, two men out of five had votes in England previous to 1885, while only one in five had a vote in Ireland for parliamentary purposes, and the state of the municipal franchise was even in stronger and more marked contrast than that relating to the Parliamentary franchise. I will illustrate this by giving your Lordships one or two cases: counties and boroughs. The eastern division of Staffordshire, population, 138,824; electors, 11,275. County of Dublin, 145,628 population; electors, 4,982. So that with a larger population in Dublin the number of electors previous to 1885 was about a third of those in the constituency of a nearly corresponding size. So, Northumberland, South Division compared with Limerick County; Lancashire, North Eastern Division, compared with the county of Mayo; Yorkshire, North Riding, compared with the county of Down. So that taking those four counties respectively in England and in Ireland, the figures stand thus: population of the four English counties, 728,881; electors previous to 1885, 53,421; total of the four Irish counties, population 754,042; electors, 26,402. So that with a larger population in those four Irish counties there are 26,402 voters, as against 53,421 in the four English counties with a somewhat larger population. In the case of the boroughs also it is remarkable. Sheffield with a

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[Continued.]

population of 284,410, electors 43,350; Dublin with a population of 273,282, electors, 13,880, less than a third, between a third and a fourth. So Blackburn as compared with Cork; Chatham as compared with Limerick; Newcastle-on-Tyne as compared with Belfast; Aylesbury as compared with Londonderry; Berwick-on-Tweed as compared with Kilkenny; Brecon as compared with New Ross. The results of those seven boroughs in England as compared with the seven boroughs in Ireland is this: total population, 626,579, electorate in England 95,150; in Ireland, the population, 685,680; electorate 44,311. Therefore there is as your Lordships see, a marked discrepancy.

(*The President.*) Without entering into the value of this, in order that one may fully appreciate it, one must know what were the comparative qualifications.

(*Sir C. Russell.*) I can give your Lordship that exactly if you desire it, but I thought the results would have been shorter, as I have put them.

(*The President.*) I mean only in this sense. I do not remember at the moment how it was, but assume the qualifications to be the same, it would amount to this, that in Ireland a fewer number attained to that qualification.

(*Sir C. Russell.*) Certainly, my Lord, the qualifications were not the same.

(*The President.*) Therefore we must know what they were.

(*Sir C. Russell.*) I will read them to your Lordship in a moment. Further, there were in operation certain other causes, namely, a difference in the registration laws, which, undoubtedly, prevented a larger number getting on in Ireland, who otherwise would have got on. This was the difference. In England, or in English boroughs, all rated householders are entitled to vote, and it has been held that a separate room, held separately, was a separate house within the Act of 1867, which did not apply to Ireland. In Irish boroughs, houses rated by Government valuation at over 4*l.* equal to a rental of 8*l.* in Ireland, and 12*l.* in England, and occupiers of lodgings worth 4*s.* unfurnished per week, or over, were entitled to vote. Those are the two statements as regards the boroughs. In the English and Irish counties, the occupiers franchise is nominally the same. That is to say, a 12*l.* Government valuation, but from the difficulty of valuing the English as compared with the Irish counties, the former, that is to say, the English counties, have more than 1½ times as many voters in proportion to the population as the Irish counties. All I desire to establish by this—I am not arguing beyond this about it—is, that taking the question of populations in the two countries, and taking the franchises in the two countries, the proportion of the electors for the English boroughs and English counties was much greater to the total population than in Ireland, either in boroughs or in counties. That was set right by the Act of 1885 which came into operation at the election which took place in that year. I have given one reason why this is an important event. It is an important event for another reason. The case presented before your Lordships is this. That Ireland was groaning under a remorseless tyranny; first, the tyranny of the Land League; next, the tyranny of the National League; that it was not true to say that either of those movements had behind it the sanction and good-will of the Irish people. That it was, in fact, a minority using illegal means of intimidation and of influence terrorising over a majority. In other words it was not national, but it was a narrow, selfish, sectional movement, instituted and controlled by a band of men with more or less self-seeking motives, and no objects for the public good.

My Lords, I think the results that I am now going to call your Lordships' attention to are the most marvellous that the political history of any country can afford; for in this election of 1885 there seem to have been others who entertained the opinion which the Attorney-General, upon that matter, was instructed to put forward. I have here a list of counties and of boroughs, numbering fifty or more—I have not worked out the exact figures—in which the majorities go as high as 6,474, and the lowest majority is 2,385.

But, my Lords, the majorities are not the force and strength and point of this; it is the miserable minorities. I must trouble your Lordships with reading some of these. Carlow county—majority, 4,050; the vote on one side, the popular side, being 4,801, and the vote on the minority being 751.

I do not know whether your Lordships know the county of Carlow. It is a well-to-do county; it has a number of resident landlords in it and gentry well-to-do; and when you recollect not merely that Mr. Parnell's policy had drawn down upon it the condemnation of all the landlord class, and all the dependants of the landlord class, and all the class which represents the active official government in localities, of the

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Executive power in Ireland, it does seem amazing, unless this was indeed truly a movement which had behind it a force without any parallel that I know of, that they were only able, as against 4,801 votes, to get 751.

Cavan, West—majority, 4,646. Vote on the popular side, 6,425 ; 1,779 minority.

My Lords, I will read the popular vote first, the minority vote next, and the majority next. I will not trouble your Lordships with repeating myself, but will just give the names and figures :—

County.	Popular Vote.	Minority.	Majority.
East Clare - - - - -	6,224	289	5,936
West Clare - - - - -	6,763	289	6,474
East Cork - - - - -	4,314	266	4,048
Mid Cork - - - - -	5,033	106	4,927

These, my Lords, are all contested elections.

County.	Popular Vote.	Minority.	Majority.
North Cork - - - - -	4,982	102	4,880
South Cork - - - - -	4,823	195	4,628
South East Cork - - - - -	4,620	661	3,959
West Cork - - - - -	3,920	373	3,547

My Lords, I will not read, but I will ask leave to put in, as part of the documents, the other figures in a number of other counties which show the same thing. I have not made up the number. There are counties and some boroughs also, but it exceeds, speaking of it off-hand, 50. I will have the exact number made out, and I believe I am right in saying that the lowest majority in this enormous number of constituencies is 2,385.

[The contested returns were put in, and were as follows :—]

Constituencies.	Nationalist Vote.	Orange Vote.	Nationalist Majority.
Carlow County - - - - -	4,801	751	4,050
Cavan, West - - - - -	6,425	1,779	4,646
Clare, East - - - - -	6,224	289	5,935
Clare, West - - - - -	6,763	289	6,474
Cork, East - - - - -	4,314	266	4,048
„ Mid - - - - -	5,033	106	4,927
„ North - - - - -	4,982	102	4,880
„ South - - - - -	4,823	195	4,628
„ South East - - - - -	4,620	661	3,959
„ West - - - - -	3,920	373	3,547
„ City (undivided) - - - - -	{ 6,682 6,497	1,456 1,392	5,226 5,105
Donegal, North - - - - -	4,597	962	3,635
„ South - - - - -	5,055	1,369	3,686
Dublin County, North - - - - -	7,560	1,425	6,135
Dublin City, Col. Green - - - - -	6,548	1,518	5,030
„ „ Harbour Division - - - - -	6,717	1,628	5,089
„ „ St. Patriek's - - - - -	5,330	1,162	4,168
Galway, East, County - - - - -	4,886	353	4,513
„ City - - - - -	1,335	164	1,171
Kerry, West - - - - -	2,607	262	2,345
„ South - - - - -	2,742	133	2,609
„ East - - - - -	3,169	30	3,139
Kildare, North - - - - -	3,169	467	2,701
Kilkenny, North - - - - -	4,084	174	3,910
„ South - - - - -	4,088	222	3,166
King's County, Tullamore - - - - -	3,700	323	3,377
„ „ Birr - - - - -	3,408	760	2,648
Leitrim, North - - - - -	4,686	541	4,145

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Constituencies.	Nationalist Vote.	Orange Vote.	Nationalist Majority.
Leitrim, South - - - - -	4,775	489	4,286
Limerick, City - - - - -	3,098	635	2,463
Longford, North - - - - -	2,592	163	2,422
„ South - - - - -	3,046	321	2,725
Mayo, West - - - - -	4,790	131	4,659
„ South - - - - -	4,900	75	4,825
Monaghan, South - - - - -	4,375	963	3,412
Queen's Co., Leix - - - - -	3,740	507	3,233
„ Ossory - - - - -	3,959	293	3,666
Roscommon, North - - - - -	6,102	366	5,736
„ South - - - - -	6,033	338	5,695
Sligo, North - - - - -	5,216	772	4,444
„ South - - - - -	5,150	541	4,609
Tipperary, North - - - - -	4,789	252	4,537
„ Mid - - - - -	3,805	255	3,550
„ South - - - - -	3,572	122	3,450
„ East - - - - -	4,064	196	3,868
Waterford, West County - - - - -	3,746	359	3,387
„ East County - - - - -	3,291	314	2,977
„ City - - - - -	2,308	250	2,058
Westmeath, North - - - - -	3,648	255	3,393
„ South - - - - -	3,618	200	3,418
Wexford, North - - - - -	6,531	817	5,714
Wicklow, West - - - - -	3,721	871	2,850
„ East - - - - -	3,385	1,000	2,385

Then follows a second class, where the majorities were not so large. But in all the majorities in those cases, including several Ulster counties—Donegal, Fermanagh North and South, Londonderry South, Monaghan North, Mid Tyrone, East Tyrone, and South Tyrone—the majority ranges from 1,943 to 551, with one exception, and that is in South Tyrone, where the contest was very close, and the majority was 52.

[Class II. is as follows :—]

Constituencies.	Nationalist Vote.	Orange Vote.	Nationalist Majority.
Donegal, East - - - - -	4,089	2,992	1,097
Dublin County, South - - - - -	5,114	3,736	1,378
Dublin City, Stephen's Green - - - - -	5,277	3,334	1,943
Fermanagh, North - - - - -	3,255	2,822	433
„ South - - - - -	3,574	2,181	1,393
Londonderry, South - - - - -	4,723	4,153	565
Monaghan, North - - - - -	4,055	2,685	1,370
Tyrone, Mid - - - - -	4,299	2,657	1,642
„ East - - - - -	3,919	3,368	551
„ South - - - - -	3,434	3,382	52

I have given your Lordships these, which are the contested elections. There are, besides these, a number of uncontested elections.

Now, my Lords, what is to be said about this? There is an Act which relates to Ireland as well as to this country, by which if there have been in operation, intimidation, violence, bribery, a popular election can be questioned and set at nought if the case is established. I am not sure whether my observation applies to this 1885 election or to the 1886 one, but to which ever it applies, for my purpose, it matters not. There were two petitions out of the whole of the elections. One of them, a petition against Mr. Sexton, in Belfast, which was decided in his favour. The other the instance of a popular member, Mr. Justin McCarthy, in the city of Londonderry, and decided in his favour; and there is not the least ground for suggesting, and it has not been suggested, that these elections were anything else than the free unbiassed opinion of the Irish people, exercising, as the Constitution intended they should exercise, their

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right to the franchise by selecting men, not to please English opinion or the opinion of the House of Commons, or of any section or class of the community; but to exercise the true constitutional principle of selecting men to represent them, which they did freely and with the force to which I have called your Lordship's attention. I do say that this affords a clue to the change which was coming over the minds of thoughtful men and statesmen; a clue to the attitude which, following the situation Lord Carnarvon, as I have already told your Lordships, assumed—a clue to that broader, greater scheme of reconciliation which has been called the policy of conciliation, which a greater man still inaugurated, and sought to make successful. And I do say, with great deference to each of your Lordships, that it would be a thousand times better if popular opinion in Ireland or in any other country, represented with the force and volume which it is represented, as shown in these elections, a thousand times better, if that voice was to be disregarded, the force of representation should be taken away altogether, and that Ireland, or any other country similarly situated and similarly treated, should be governed as a Crown colony and without a constitution at all. That is the thing, that is the fact, that is the point upon which the whole Irish controversy turns. As Bentham, in his "Theory of Legislation," Chapter IV., says: "If associations spring up in a country powerful enough to intimidate its government with all its executive forces at its back, in all its influence, and too powerful to be put down, if and when a great majority of the nation is seen on one side and its government on another, it is a pretty clear indication that the general discontent of that country is well founded."

I pass from that. I have said there was trouble brewing from the operation of causes grievously felt in this country, grievously felt in Ireland, and causes at least which no one has attributed to the action of the Land League or National League. Those remarkable causes arose from the almost unprecedented fall of agricultural values to which I have already referred.

My Lords, again the Irish members foresaw the difficulty that was coming, and again in the autumn of 1886, Mr. Parnell introduced a Bill for the purpose of meeting and coping with the inevitable coming crisis. That Bill did not succeed. History was repeating itself, as it was constantly repeating itself in this matter. His policy, rejected in 1886, was taken up and adopted reluctantly by the Government in 1887—again tardily, again incompletely, but taken up. But before that was done, one of the innumerable Commissions that have inquired into the ills of Ireland was started. This time it was a commission known by the name of the Cowper Commission, because of the name of the noble Lord which was at its head. On that Commission there was a representative of the Irish farmers—the only Commission of which, I think, the same can be said. He was Mr. Thomas Knipe, a Presbyterian farmer from Ulster, and the other members of the Commission were Lord Cowper, Lord Milltown, an Irish landlord, Sir James Caird, Mr. Neligan, a county court judge in Ireland, and also a landlord. The majority passed a report blaming the action of the National League, reflecting on the action of the National League, but insisting upon the necessity of dealing with the abnormal fall that had taken place; and they arrived at the conclusion that rents fixed in 1881, 1883, 1884, and 1885, were not rents which honest tenants could be asked to pay, or could reasonably be expected to pay, in the events which happened. The Act was passed in 1887—that automatic principle, if I may so call it, that self-acting principle which Mr. Parnell sought to have introduced into the Act of 1881, in order that there might be instant relief felt all over the country, was in a modified form introduced into that Act, the Act of the present Government of 1887.

My Lords, in that Commission, Lord Milltown, who was the principal Irish landlord upon it, disagrees with the majority in the report, and during the examination of the witnesses plays the part of cross-examiner—I am not of course blaming him for that—with a view of defending his class, and with a view, I think, occasionally a little unfairly of fixing odium on the Land League.

The report of Mr. Knipe consists of two parts. First, he wrote a note when the preliminary report of the commissioners was directed to be published, in which he, on the 15th February 1887, arrives at the conclusion that he could not concur in the report, and he adds this important sentence:

"Upon the question of combination, however, my views differ so widely from the opinions of many of the commissioners that I am compelled to dissent;

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“ especially as assent on my part to certain paragraphs might create the impression that I am in favour of any fresh coercive legislation. I know the feelings of the class I represent, and believe that combinations derive their force mainly from the exactions of excessive rents which the land does not produce. For these reasons I have come to the conclusion to embody my own views in an independent report.”

And this is his report. I do not propose to trouble your Lordships with the whole of it. The part I do desire to read is the part headed “Coercive Legislation and Combination.” He says:—

“ I think that any attempt to meet agrarian crime and outrage, which unfortunately prevail in certain districts, by any fresh coercive legislation will now, as in the past, not only fail to secure the tranquility of the country, but will inevitably end in seriously aggravating the present difficulties. If the relations which now unhappily exist between landlord and tenant are further strained, the intentions of the Land Purchase Act will be defeated and sales of land to tenants even at lower price will be rendered more difficult in many parts of Ireland. The landlords, with a few honourable exceptions, have failed to meet by prompt reduction of rent the serious fall in prices, or to recognise the serious losses of their tenants, and to this may be attributed combinations and the resistance to evictions which has taken place, and which might have been averted. If the power of the League is to be weakened and the people kept away from combinations which are certain to spread beyond their present limited area, and thereby endanger further the peace of the country, it can only be by the Government boldly facing, as a whole, the land question in Ireland, and by such legislation and government as will convince the poorest of the people that the law is their defender and friend.”

I ought to explain to your Lordships that when he refers to combinations which are certain to spread beyond their present limited area, that does not refer to the National League. It refers—I think it better to explain this for another reason—to a proceeding not resorted to by the National League, though undoubtedly certain members of the National League were prominent in instituting it, that was known by the name of the Plan of Campaign; but as to which my learned friends, after considering the matter, I presume, amongst them, and in view of assurances given in Parliament when this very Act under which your Lordships are sitting was under discussion, have not referred to and not gone into, and neither do I, of course, propose to do it. He then goes on to make a reference to the evidence of Sir Redvers Buller. I shall read, your Lordships, his evidence in a moment; he was a witness who could certainly have told your Lordships a great deal about the county where the crimes have perhaps on the whole been the worst, or at least where there have been a larger number of crimes, I mean the county of Kerry. Mr. Knipe goes on and says:—

“ I venture to say it would be a serious matter with grievances unredressed, to attempt to suppress by force or fresh coercive legislation the right of tenants openly to associate for the protection of their interests. A class to whose property the State up to 1881 refused any real legal protection.”

Now, my Lords, this volume [“Cowper Commission”] contains much useful matter. I propose to read to your Lordships, and to read it from the beginning to the end, the evidence of Sir Redvers Buller.

(*The President.*) I doubt whether this is admissible, Sir Charles. You see these various documents from which you are reading are not admissible as statements of fact for this purpose, if it were necessary to call witnesses; but, of course, I am not for a moment limiting your general right to refer to documents of this kind. I do not think it can be taken that the whole bulk of the evidence of the witnesses given before that commission can be treated as evidence here.

(*Sir C. Russell.*) I at once defer, of course, to your Lordship's view. There was one point which your Lordship has been good enough to recollect, and I think it was a common arrangement to which we arrived, that all official documents were practically to be treated as put in; and we certainly upon that basis, and upon that understanding, have allowed a number of documents to be put in—nay, a number of statements to be

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made, which in a strict sense would not be admissable in evidence at all. And we conceived we were acting within the principle of that understanding by referring to the documents to which I have referred, but I can at once see there is a distinction. I quite recognise what your Lordship means, that there is a difference between the evidence of a witness and a report of a body like the Commissioners. I quite see that there is, and I will at once, therefore, defer to your Lordship's view.

(*The President.*) You, I am sure, must have observed that I have not checked you at all in the various passages you have read, and if there is anything of a striking character which you wish to call our attention to, not in the nature of a statement of fact, but something you might embody in your speech, to which you seek to give additional force by stating, we should not object.

(*Sir C. Russell.*) The way I propose to use it was rather this—that once having presented this to the mind of the Court, I at once defer to whatever view is taken. We, representing the accused here, asked a number of witnesses as to whether they attributed such and such things to the League, and notably, in some cases, to which I shall have to call detailed attention, they were allowed to give statements second and third and fourth hand sometimes as to the ground of these conclusions and opinions. I was going to use this evidence of Sir Redvers Buller for the purpose of showing what view an honest man in his position and with his independence of judgment would take of such things which existed in the co. Kerry at this very time in relation to which your Lordships are inquiring. He was, my Lords, besides Irish Under Secretary at the very time he was giving this evidence before the Commission.

(*The Attorney-General.*) He was not. I beg your pardon; it was subsequently.

(*Sir C. Russell.*) The Attorney-General may be right. He says it was not at this time, he was subsequently appointed. All I can say is he must have been appointed very soon, because he gives his evidence at the end of 1886, and in March 1887, Mr. Knipe refers to his evidence as that of the Under-Secretary when asked before the Commissioners certain questions.

I do not desire to press at all this; but shall I be justified in reading the passage from the evidence which the Commissioner embodied in his report?

(*The President.*) Oh, yes; I was only objecting to this being put in *en bloc*.

(*Sir C. Russell.*) Yes, my Lord, I refer to that.

“ The Under-Secretary when asked before the Commission—Q. 16,473.
 “ ‘ Would it meet your idea, if when an ejectment was brought into the Court,
 “ ‘ the judge of that Court would have the discretion of saying whether he would
 “ ‘ evict or not?’ replied, ‘ Yes, that is what I want. It seems to me that it
 “ ‘ should be his duty to exercise a certain degree of discretion, but he only exercises
 “ ‘ it when the tenant comes into Court. Unfortunately, the tenants have been
 “ ‘ taught that the law is only on one side.’ Again, Q. 16,474–5. ‘ I see some very
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 “ ‘ pay. I wrote to a landlord the other day who was about to turn out a
 “ ‘ man, that man paid a year's rent and he owed three—he was evicted, and
 “ ‘ that man, I believe, really meant to pay the amount. He was evicted. I
 “ ‘ satisfied myself that if he got time he was going to pay his rent when his
 “ ‘ children, who were in service in Limerick, sent their wages to him.’ And
 “ Q. 16,476. ‘ I think that there should be a discretion in giving decrees, and that
 “ ‘ there should be some some means of modifying and redressing the grievances
 “ ‘ of rents being still higher than the people can pay. You have got a very
 “ ‘ ignorant, poor people, and the law should look after them, instead of which
 “ ‘ it has only looked after the rich, that appears to me to be the case on coming
 “ ‘ here.’ Also Q. 16,468. ‘ I feel very strongly that in this part of the country
 “ ‘ you can never have peace unless you create some legal equipoise or legal
 “ ‘ equivalent that will supply the want of freedom of contract that now exists
 “ ‘ between the landlord and the tenant. I think there should be some legal
 “ ‘ machinery which should give the tenant an equivalent for the pressure that
 “ ‘ the landlord is able to put on him, owing to his love of the land.’ ”

My Lords, he finally uses this extraordinary language in his evidence.

(*The Attorney-General.*) I have not interfered in any observations made by Sir Charles Russell, and do not wish to, but with reference to Sir Redvers Buller's evidence, who

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can be called, I ask your Lordships to say it should be confined to the statement made in the report.

(*The President.*) That is what I have already intimated.

(*Sir C. Russell.*) I have deferred to that. I was only going to give a sentence which I shall support by evidence and adopt.

(*The President.*) I may say that it is a matter of indulgence that I allow this.

(*Sir C. Russell.*) My friend says Sir Redvers Buller can be called. He is stating a fact. He can be called, but I should like to know in good sense who should be most naturally expected to call him, if the desire was to put before your Lordships fairly and fully the facts of this case?

(*The President.*) Confine yourself to that part of the evidence which you say justifies the report of Mr. Knipe.

(*Sir C. Russell.*) Yes, my Lord, that is what I was going to do. He is asked—"Is there any general sympathy with the action of the League on the part of the people?"

(*The Attorney-General.*) Will you give me the number of the question please?

(*Sir C. Russell.*) 16,493, (*A.*) "Yes, I think so, they pay to it. I think there is sympathy, because they think that it has been their salvation."

My Lords, those words were not originally so. Your Lordships will find from the context it should be, "It was their salvation"; and it has been stated publicly that that was the way that it was printed, and the next question shows it.

"216,494. It has been their salvation?—The bulk of the tenants in this west part of Ireland tell me of rents that have been reduced, and evictions that have been stayed, which are directly due to the operations of the League. They believe that, whatever truth there may be in it, nobody did anything for the tenants until the League was established, and when the landlords could not let their farms, then they were forced to consider the question of rent. There are in this district of Killarney 1,680 acres of derelict farms on which the grass has grown up and rotted this year, and 950 acres of farms from which the tenants having been evicted have been allowed to remain in as caretakers. 216,495. They have been kept derelict, but you do not think that desirable?—No, most undesirable. It is an enormous loss to the country, but it is because it does not pay to turn a tenant out, the tenant is not turned out. 216,496. 'The result is that it is no longer possible to enforce legal obligations'?—Yes. 216,497. Well, that hardly looks as if the law was all for the rich?—The law, there is not much law in this part of the country, but a short time ago what law there was, was really on the side of the rich."

My Lords, I shall adopt this statement as my own, and, I hope, support it by evidence which will recommend it to your Lordships' mind. I only regret I have not been able to read the whole of the evidence. I have said fairly to your Lordships that he points to the action of intimidation, not to the League, although he uses the word League, but the date shows, and there are certain matters which earmark it—the adoption of what is shown to be marks of the Plan of Campaign.

(*The President.*) It may be some satisfaction to you to know that I have read it, because I thought it my duty to inform myself of what has taken place.

(*Sir C. Russell.*) I am glad that your Lordship has. I come now, I am glad to say, to the end of this narrative, as far as the Land Legislation is concerned, and I shall make no further reference to it. Following that report, there was carried out—very imperfectly carried out—still carried out in a way to afford relief to the tenants, the Bill which Mr. Parnell prepared in the previous session, 1886. That was done by the Government of the day in 1887.

My Lords, I do not recede from what I said, that from the beginning of 1881 and ending with 1887, real, substantial progress has been made in the protection of the Irish tenant class, a protection that, if it had been afforded them, aye, at the date of the Devon Commission in 1843–45, would, I have not the slightest doubt, have changed the whole face of the country. There would have remained unquestionably the strictly political questions. They would have been modified—I mean their treatment would have been modified, and the mode in which they were pressed upon public attention

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 “ ‘ that man, I believe, really meant to pay the amount. He was evicted. I
 “ ‘ satisfied myself that if he got time he was going to pay his rent when his
 “ ‘ children, who were in service in Limerick, sent their wages to him.’ And
 “ Q. 16,476. ‘ I think that there should be a discretion in giving decrees, and that
 “ ‘ there should be some means of modifying and redressing the grievances
 “ ‘ of rents being still higher than the people can pay. You have got a very
 “ ‘ ignorant, poor people, and the law should look after them, instead of which
 “ ‘ it has only looked after the rich, that appears to me to be the case on coming
 “ ‘ here.’ Also Q. 16,468. ‘ I feel very strongly that in this part of the country
 “ ‘ you can never have peace unless you create some legal equipoise or legal
 “ ‘ equivalent that will supply the want of freedom of contract that now exists
 “ ‘ between the landlord and the tenant. I think there should be some legal
 “ ‘ machinery which should give the tenant an equivalent for the pressure that
 “ ‘ the landlord is able to put on him, owing to his love of the land.’ ”

My Lords, he finally uses this extraordinary language in his evidence.

(*The Attorney-General.*) I have not interfered in any observations made by Sir Charles Russell, and do not wish to, but with reference to Sir Redvers Buller's evidence, who

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There is another of the same class, Mr. George E. Browne, formerly M.P. for the county of Mayo, and these also are 1881-1882 :—

Old Rent.			Judicial Rent.			
£	s.	d.		£	s.	d.
7	0	0	Reduced to	-	5	15 0
6	16	0	„	-	4	15 0
7	5	0	„	-	5	15 0
33	0	0	„	-	24	0 0
8	16	0	„	-	7	0 0
4	8	0	„	-	3	5 0
14	0	0	„	-	13	0 0
13	10	0	„	-	10	10 0

and so on. I do not think that I should desire to trouble your Lordships with the full details of the figures.

Another case is the Marquis of Londonderry. This also is in 1881 to 1882. He is a good landlord :—

Old Rent.			Judicial Rent.			
£	s.	d.		£	s.	d.
35	14	6	Reduced to	-	25	11 1
64	16	0	"	-	50	0 0
11	14	0	"	-	8	0 0
44	5	6	"	-	33	17 3
21	14	0	"	-	12	11 9
38	4	0	"	-	30	0 0
17	12	6	"	-	13	8 2
22	1	0	"	-	14	16 0
32	3	6	"	-	26	9 4
35	10	0	"	-	27	0 0
39	18	6	"	-	30	15 2
18	15	6	"	-	11	12 6
60	18	6	"	-	42	18 11
13	8	0	"	-	9	7 6

Another man, whom I believe is entitled to the name of being a good landlord, comparatively speaking, is Lord Fitzwilliam :—

Old Rent.			Judicial Rent.			
£	s.	d.		£	s.	d.
24	0	0	Reduced to	-	20	0 0
19	0	0	"	-	14	0 0
15	0	0	"	-	10	17 0
25	10	0	"	-	19	0 0
22	0	0	"	-	17	0 0

And here is one instance of an Ulster landlord ; the amounts are small. It is the estate of Mr. William Robb :—

Old Rent.			Judicial Rent.			
£	s.	d.		£	s.	d.
5	1	0	Reduced to	-	2	5 0
4	10	0	„	-	2	15 0
6	15	0	„	-	2	15 0
7	0	0	„	-	2	15 0
6	0	0	„	-	2	0 0
6	10	0	„	-	3	0 0
26	18	0	„	-	15	0 0
11	2	6	„	-	7	5 0
3	10	0	„	-	1	10 0
7	0	0	„	-	2	10 0

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Now, my Lords, I have also got other figures here, but I do not desire to give the names, and I do not even desire to go into them, but as compared with those I am told, and I believe correctly told, Mr. Browne, Mr. Smith Barry, Lord Londonderry, Lord Fitzwilliam, are good, fair specimens, and even better than fair specimens, of landlords, and are regarded in Ireland as on the whole considerate, and not bad landlords. Your Lordships will understand I am prepared, but I do not desire to mention the names. I have them here if your Lordships must wish for them, but you may understand that I have selected men of the position of those whom I have mentioned—Mr. Smith-Barry, at present a member for his county, Mr. Browne, ex-member for his county of Mayo, Lord Londonderry, and Lord Fitzwilliam. Your Lordships will judge for yourselves what an array of figures one may pick and choose if one were to take the worst cases that might be presented for the consideration of the Court.

And, my Lords, what does this story of reduction mean, whether you are to take the lesser cases I have presented, or the much stronger cases which, if I were to select them, I could present? It means, God knows, without going far back, that these men, having no real independence and freedom of contract, had over weary years, and their fathers before them, been trying to pay rents, rents going up in proportion as they improved, but rents which the land was not making, and which was not leaving them any fair return for their expenditure and labour on such small capital as they possessed—and I ask any honest man can he deny the truth of this—and from which they had not any expectation of relief, until they banded themselves in combination for mutual protection—the strong and the weak, unless and until, under the guidance and inspiration of their leaders, whom they trusted, they arrested public attention to what was a grievous scandal and a crying injustice.

Now, my Lords, I am glad to say I have left entirely, and not I hope again to recur to it, the question of land. I now come to the question of the evidence which has been presented before you with a view of endeavouring to connect those who are here charged with complicity with crime and outrage, and I would like at this stage to explain the course which I propose to take in this examination. I propose to devote a few moments to the evidence of opinion—for that practically was what it came to—of magistrates and district inspectors. We propose hereafter to offer to your Lordships similar evidence by persons, as we conceive, better entitled to speak, and who will tell your Lordships that they believe, that if it had not been for the hope which the action of the Land League inspired, and for the control and moderating influence which it exercised, the crime in Ireland, as disclosed over these 10 years, would have been much more striking. But I would remind your Lordships in this connexion, that your Lordships have had, so to speak, focussed and presented in that fashion crime extending over the whole period of 10 years of what I have said, amounted, not to agitation only, but to revolution. The Attorney-General in opening the case dealt strongly on the connexion, which he thought—as I presume he was instructed—he would be able to establish, between the naming of persons in speeches, which were called denunciations, and the names of persons in resolutions of the Land League, and before I proceed to consider the evidence of the magistrates, I wish to call your Lordships attention to some striking figures in this regard.

Having examined the evidence of the magistrates, I next propose to consider the general evidence as it relates to the four counties, of Galway, Mayo, Kerry, and part of Cork.

(*Mr. R. T. Reid.*) And Clare.

(*Sir C. Russell.*) Not Clare, as my friend suggests, because there has been nothing proved of Clare worthy of consideration—the four counties of Galway, Mayo, Kerry, and part of Cork—to examine that very generally, and to classify the cases which have arisen in those four counties, in a way that I hope will give your Lordships some assistance in the consideration of that branch of the case, reserving a fuller and detailed examination of that part of the evidence. I must exclude the most serious crime of murder till the later period, when your Lordships can have it more adequately and better discussed in view of any further evidence which we propose to put before you. My learned friend Mr. Reid has given enormous pains and labour to the classification of that evidence, and, indeed, made a complete digest of the body of the evidence itself.

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I then propose to consider the question of the murders.

And lastly the evidence, as far as it can be said to apply to any of the Members of Parliament who are before you. Therefore, it will be the magistrates; the crimes in the four counties generally, apart from murders, the examination in greater or less details of the murders, and finally the evidence, as it is supposed to point to complicity in any of the Members of Parliament.

Now, my Lords, first of all as regards the connexion between the "naming," as the Attorney-General has called it—the denunciation of persons at meetings. There have been named by the Attorney-General in his opening, I may mention 69 persons—I will use for the moment a neutral word—whose conduct was reprehended or who were referred to at a public meeting. I can give your Lordships the names: "Bodkin, M'Hugh, Seymour, Murty, Hynes, Persse of Roxboro', the Persses of Galway, Burton Persse, Murray McGregor, Bourke of Ower, Broune of Larne, Hacket, Bottrell, Pat Davis, John Tully, Keane, Keating, J. Casey, R. Henry of Togher, D. B. Leonard, Isidore Burke, Walter Blake, Kennedy Robinson, Mrs. Forbes, Mrs. Blake of Benoyle, Mr. Leonard of Tuam, Hussey, John W. O'Connor, Lansdowne, Trench, Kenmare, McGillienddy, Herbert, Boycott, Bence Jones, William Hartlett, Broun, David Bourke, Bourke of Ower, Walter Burke of Carraleigh, Carter, Hayes, Cornelius O'Connor, Carty, Mr. Hamilton Brien, Hegarty, Lord Bantry, Mr. Bird, Mr. Barrett, Daly, Lord Aunaly, Matt Weld O'Connor, Col. King-Harman, Lord Clanricade, Lord Kenmare, Marcus Keane, Stackpool, Maurice O'Halloran, Stockpoole Mahon, Tare, Daly, O'Connor, Balaclava Finlay, Clark, McDonagh, Lewis, Downey, Sandes, and Headleys"—making altogether 69 persons alleged to have been named. Of those, as to 60 there is not, as far as I am aware—if I am wrong it will be pointed out—one single atom of evidence showing that any crime or outrage followed upon any reference made to them. For the remaining nine undoubtedly there is evidence that they were subjected to outrage; and three of the nine cases I am sorry to say were cases of murder. But when I come to examine, as I shall under the head of murder, the alleged connexion between their naming, and the outrage which followed upon them, I think I shall satisfy your Lordships that there is no tangible real ground for saying that between the naming, or reference, or animadversion, and the outrages, looking to all the circumstances, and looking particularly to the dates, there is the connexion of cause and effect.

Now, my Lords, I proceed to some general observation on the evidence—for I do not propose to give more—of the magistrates and the district inspectors. I take a typical case, for I do not propose to examine them all—Captain Plunket; and I examine his evidence for the purpose of showing that while he, like all these official witnesses, is full of suspicion, yet when he is pressed to give tangible grounds for his opinion, that he really fails to give them. As a matter of fact in cross-examination—for I was not here when he was examined—he was cross-examined by my friend, Mr. Reid, and your Lordships will particularly take a note of page 2005, and then you will see what the kernel of his evidence is; he says: "I came to the conclusion that the League was the cause of crime, because where the League was weak there was not much crime; where the League was strong there was much crime." Pressed to say how he arrived at the conclusion that in any particular place the League was weak, or in any other particular place the League was strong, his answer is: "Because in one place there was crime, and because in the other place there was not crime," so that his argument is completely in a circle in the expression of his views. At Question 37,575, page 2,005, he is asked by my friend, Mr. Reid: "Will you give me the fact upon which you rely for the purpose of showing the branches were weak in the three districts you have said were quiet, and there strong, for example, Castleisland. Give me the facts." The answer is: "What I rely on is that in the three districts, wherever there has been a branch established which had any vitality, crime invariably followed, and in the three districts named there was little or no crime up to the time I speak of. (Q.) And therefore you infer that the Land League was weak in those three districts and strong in the other?—(A.) In which. (Q.) Strong in Castleisland?—(A.) Yes. (Q.) That is your reason?—(A.) That is one of them. (Q.) Of course you have more. I want to take them one by one; but that is your reason?—(A.) Yes. (Q.) Now, will you give me another?—(A.) Yes; the other has been received from private information. (Q.) About the strength and weakness of the different

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“ branches?—(A.) About the action of the different branches. (Q.) I will ask you about the action in a moment. I am asking you your ground for saying that the Land League was strong in the one and weak in the other. Do you see?—(A.) Yes. (Q.) You have given me one reason in answer to that. What is the other? —(A.) The other was that whenever they thought fit to denounce a man he invariably suffered, and that showed their strength.”

So that this gentleman, I do not doubt, speaks honestly enough; but just as I may remind your Lordship as the official witnesses of the same class in the 1852 Commission, whose evidence I called attention to, when inquiring into the state of Armagh, Monaghan, and Louth, all said the same thing (they all said the land question had really nothing to do with it; that it was the agitators of that day that created the disturbance), so they say here; but when you come to press him the result is that all he has to say is he arrives at the conclusion that the Land League was weak in one district because there was less crime and strong in another district because there was more crime; but as regards any tangible ground for forming that opinion, except the allusion he makes to private information, which I will say a word about in a moment, there is none. What is that private information? Luckily for the interests of justice and truth we have had one or two examples of what the character of that private information was. We have had it in the case of the private information which operated, I have no doubt, on the mind of Inspector Davis as to Thomas O'Connor, as to whom I shall have a good deal to say hereafter. There is no doubt that Thomas O'Connor was one of the informers upon whom he was relying. In the case of another inspector, the man Buckley, who by his own confession was a very disreputable creature, was another of the private informers upon whom he was relying; and in the case of another — perhaps the most illustrative example of all — the case of the informer Coleman, who, your Lordship will recollect, was engaged in the conspiracy known by the name of the Crossmolina conspiracy, and who, during the whole period of his nefarious trafficking in crime in connexion with another person called Macaulay, was in regular correspondence with Inspector Ball, and from the beginning to the end of the whole of that correspondence (it is most important — the letters are on the note before your Lordship) with the exception of one letter, there is not a suggestion direct or indirect that the Land League had anything to do with any of that crime, and that one suggestion is a suggestion that in relation to some matter (I cannot recall what, and I will not stop to look it up,) somebody told him that 5*l.* or 10*l.* was coming from the Ladies' Land League. With that single exception there is not a reference to the Land League in the whole of the story. And when I remind your Lordships (for it is important to bear in mind that at the period to which we are referring the Government was hostile, intensely hostile, to the whole movement and to those who were at the head of the movement) that it would have been a matter of the greatest political moment to the Government of the day, whatever that Government was, if there could have been evidence produced in any way to connect the Land League in any direct fashion with crime, when your Lordships further recollect all the temptations to cupidity that that state of things affords, I do not wish to use strong words about it, but it is marvellous that in the whole of this disreputable fellow Coleman's evidence, there is not, from the beginning to the end of it, with the single exception I have mentioned, a reference to any connexion with the Land League.

But, my Lords, there is this further general observation important to be borne in mind, that with the exception of the cases of Timothy Horan and the cheque for 6*l.*, initialled “J. F.,” there is not a tittle of evidence except the evidence of Coleman, to which I have referred, of O'Connor, Buckley, and two men called Jago and Tobin, not a syllable of reference to any statement of fact in support of the broad allegation made by the Attorney-General that crime was systematically paid for by or at the instance of the Land League. I shall, of course, have to examine their evidence, or some one else will, and go into it in detail; but the further general observation I have to make in relation to that class of evidence seems to me to be pregnant with meaning and importance, and it is that in every one of those cases the men confessed themselves to be not only members of secret societies, but in every case, I think, with hardly an exception, if there be an exception at all, were sworn into the secret organisation as a kind of preliminary to their being engaged in any kind of crime, or of outrage.

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Now, my Lords, I say Captain Plunkett's evidence, and the evidence of men of whom he is a type, while it points to his suspicion, gives no tangible ground, as I submit—no legal grounds would be quite enough for me, much less no moral grounds even—upon which the conclusion at which he arrives can properly be defended or be justified. But there was one other remarkable witness. I do not know whether I am entitled, or whether my learned friends and myself are entitled to take credit for it before your Lordships, but certainly we have conducted this case, if our case is a rotten case, in the most indiscrete fashion, for every one of these witnesses, Captain Plunkett and the rest, have been asked their opinions, and have been pressed as to the justification for their opinions, and we have opened to them doors which they have certainly availed themselves of for the ventilation, not of evidence of fact, but of evidence of suspicion and of opinion, and we have tried to test them.

Now, I will take another case—Captain Slacke. He is the only other one of this class with reference to whom I shall at all trouble your Lordship. His evidence begins at page 2125. I may remind your Lordships the course his evidence took. I have given your Lordships the place where he is first called. Towards the end of my cross-examination I asked him, "Captain Slacke, you have a pile of papers before you," these being the private *dossiers* or the *precis* of various outrages reported to him by the police. And I said, "Can you produce one of those which justifies your suspicion or opinion that there is connexion between the action of the Land League and crime," or his allegation or opinion; it matters not which. He was rather unhappy in his first selection, because he produced a case which he admitted, and I think Captain Slacke gave his evidence candidly enough, not only did not prove, but was inconsistent with the case he alleged; but then he said he had lots of others. I do not know whether your Lordships recollect.

(*The President.*) Oh, I remember it perfectly.

(*Sir C. Russell.*) Thereupon I invited him, indiscreetly, if the case I am representing is a rotten one, to bring them, and on page 2,315 he is re-called. I am not going to stop to examine it. This must be done in greater detail than is proper in this connexion. I desire only to present to your Lordships a broad general view of this matter. I say it was a rubbishy collection of cases to maintain the grievous allegations that are here put forward, that Captain Slacke—with an experience over eight counties (I pray your attention to that)—was able to bring up, in order to justify his opinion, or the thesis which he was advancing. He was not confined to legal evidence, but was allowed to bring up any scrap of official documents or contemporaneous records to justify him, and I say the result was an exhibition of a number of cases, few of which had any favourable bearing in support of his view even, but the whole collection of which were trumpery in the highest degree in face of the serious matters we are here inquiring into.

Now, my Lords, I should like to present to your Lordships similarly, in a general view, an account of the outrages in the four counties which I have mentioned, other than murders. Those I reserve for a separate consideration. I take Mayo first. I, of course, am dealing with the cases only in which evidence was given. Your Lordship will, of course, understand I am not dealing with cases referred to in schedules of cases put in, but the particulars of which we have not had given, and the circumstances of which we have not had given. I am dealing with cases in which it was sought (because I presume I am justified in saying that those were the cases which were relied upon) to establish connexion with the Land League, or the leaders of the Land League, and crime. In Mayo, evidence was given of 25 outrages, of which four were murders—Feerick, Barrett, Freeley, and Dillon. Those I will presently deal with. The remaining 21 were cases either of firing into houses with or without actual injury following. Firing at the person or boycotting, in some cases accompanied with violence; in a number of the cases with trivial acts of violence. Now of those 21, six (that is to say, the case of Brown referred to at page 1547, of Scott at page 1550, of the two Hogans at pages 1552 and 1553, of Kirby at page 1553, and of Wood at page 1555), occurred in the Crossmolina district, and are referred to in the evidence of Coleman. I do not wish to repeat myself as to Coleman's evidence, your Lordships will carry it in your mind, but I say outside Coleman's evidence, there is no evidence of any connexion whatever with the League. On the contrary, as appears in the course of Coleman's own evidence and some correspondence which was read between him and

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Macaulay, and between him and the man Nally, to whom hereafter some passing reference must be made, some of the members of the secret society of whom Coleman was one, and who were engaged in this crime, were not only, not members of, but were opposed to the Land League. So much for six out of those 21 cases.

Three cases were from Swinford, White, at page 1563, Sloyne at page 1564, and Hankin at page 1566. In no one of those cases is any connexion between the outrage and any branch of the League, not merely shown but not even suggested. In the cases of White and Sloyne, two of those cases, they were visited on the same night by the same party in February 1882, at a time when the League was suppressed. In the third case, Hankin's, no date is given for the visit at all, and they were obviously a moonlighting party, and in no way, so far as the evidence goes, connected with the League.

In five of the remaining cases, part of the 21, namely, Connell, at page 1575, Fahy at page 1588, Moloney at page 1589, Sheridan at page 1757, Walsh at page 1759, were outrages against men who were alleged to have grabbed land, and again there is no connexion shown in any way with any branch of the League.

Two cases, Bingham, 1534, Carter, 1590, arose, as the witness said, out of the landlords refusal to give abatements to his tenants, and in Carter's case the tenants afterwards got reductions in the Land Courts, and got relief under the Arrears' Act; and, again, in those cases no connexion was shown with the Land League.

I have five more cases to deal with, and then I have exhausted the 21. Three cases were the cases of Captain Boycott at 1636, Michael Farragher at 1646, and Gildey at 1646. Those three cases are grouped together because they were connected with Boycott's case, those two men, I think, being persons who worked for him. Captain Boycott is famous, because he has added a new word to English dictionaries; but I think it right to say of Captain Boycott, that although undoubtedly he was boycotted, and although there can be no defence of his boycotting, that he gave his evidence in the box without the slightest apparent animus. I thought he gave his evidence most fairly, and I understand he is exceedingly popular in his own neighbourhood now that the trouble is passed and gone, and that there was even some question of bringing him forward as member for the county which he represents. But, in truth, although Captain Boycott did receive considerable annoyance and trouble, there was no grievous outrage or crime in his case at all; and, so far from its being directed against Captain Boycott personally, it arose apparently entirely from the fact that he was agent for Lord Erne, and that a number of disputes had arisen between him simply as agent and some of the tenants of Lord Erne.

The cases of Smith and McCall exhaust the 21. Smith's case is at 1688, and McCall's is at 1690. Smith was the agent of Lord Sligo, who was fired at when he was collecting rents, and this is admitted to have occurred before there was any foundation of the League at all.

I have gone through, and I believe accurately gone through, with the careful assistance of my learned friend, these cases from Mayo; and that is what I ask your Lordships to say is a fair result of the evidence. Of course your Lordships still understand that is apart from the murders with which I am not now dealing.

From Cork there were 25 cases, one of which was a murder, Regan. Of the rest of those Cork cases, the only one of any real importance is the Hegarty case, and the group of cases which belong to the Hegarty case. Hegarty's case is at 1302; Kelleher's in connexion with it, 1327; O'Connor's at 1329; Mr. Fitzgerald's at 1332, and 1360; Sweeney's at 1361; Risodan's at 1363, and Keefe's at 1757.

Now, my Lords, I say at once that this boycotting of Hegarty, in my judgment, is not for one single instant to be defended. I think it is a very bad case. I think it is by far the worst case that has come before your Lordships. But I wish to make an observation or two about it. As one of your Lordships has read the evidence before the Cowper Commission, it is possible your Lordship's observation has extended to the evidence of Canon Griffin, who was called before that Commission, but I do not need to refer to that for this purpose. Hegarty's own evidence in this case, and the evidence of Canon Griffin applying to Hegarty's case, I propose to refer to; and you cannot doubt that at the bottom of the boycotting was a personal feeling against Hegarty which had nothing to do with the Land League proper at all.

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Hegarty's position was this. He was a man of very humble origin who had raised himself (to his credit be it said), but he was sprung from the people, even from the very lower order of the people. He had got on in the world, and he had deliberately chosen his side in this great controversy. He had chosen to take the landlord side. He was perfectly entitled to do it. He had chosen to row in the same boat with the landlords, and to turn his back upon people of his own class, of the class from which he had sprung, and to champion the cause of their adversaries; and I say that in that state of things, if there never had been a Land League, aye, and in spite of the Land League, especially when in 1880, in his capacity of agent, he had to take part, or did take part, in certain eviction proceedings, it cannot be doubted that Mr. Hegarty would have been an object of popular animadversion. It stands truly that the Land League did take part in that boycotting. I do not defend them for it. I condemn them on the contrary for it; but it is to be noticed that, according to Hegarty's own account, the president of the Land League opposed that boycotting, and so strong was the local opinion, that the opposition of the president was not able to prevent its taking place.

One other observation; I have said there is some evidence that some of the Land League took part in that boycotting. That is quite true, but your Lordships will bear in mind what was true certainly in this neighbourhood of Millstreet where he lived, namely, that a great proportion of the people were members of the Land League; and if I am right in suggesting that there were grounds which would account for this popular feeling in his regard, it would be very difficult to get anybody in the neighbourhood, or at least a comparatively small proportion, who were not members of that Land League.

Now, the next group of cases, and the only group of cases that in relation to Cork calls for observation, are the cases which I may earmark as the Ballydehob cases. Those are the cases of Cameron, at page 1,423; Swanton, at page 1,423; Sullivan, at 1,424; Copthorne, at page 1,426; Raycroft, at page 1,427; Daly, at page 1,427; Attridge, at page 1,428; Daly, at page 1437; and the brevity of their evidence pretty well shows there was nothing serious in the story at all.

My observation about it is twofold: first, that the evidence disclosed no connexion of any kind between the outrages in these cases and the Land League; next, that we have got a negative piece of evidence which I think is of considerable consequence, not merely for the light it throws upon these cases, but for the light it throws upon other cases. Your Lordships will recollect, if you refer to the evidence, Royse, police constable, at page 1,442, that a stir was made on the 11th January 1883, at the offices of the local League. A raid was made, and the triumphant sergeant or constable walked off from that branch with all the books and papers that he could find, and they have been solemnly produced in this court, and I presume (for I really have not troubled to refer to them), they all appear printed *in extenso*, helping to build up these volumes which will soon be a serious encumbrance. Is there anything in those documents that suggests (for that is the case) that the local League was using as the machinery for its government and for its agitation and local action, the machinery of crime or outrage in any shape or way? Is there anything upon which any man of reasonably fair and candid mind would attempt to build, in those documents, individually or collectively, any such conclusion as that? My Lords, those are the Cork cases.

Adjourned for a short time.

My Lords, before I pass from Cork I would like, in reference to Hegarty's case of Millstreet, to make one observation. It is the one case which has been proved in which the parish priest of the place, Canon Griffin, took no part in the League, and was hostile to it, although he admits in his cross-examination the state of things there. He says there would have been very great distress but for the large sums given in the form of relief, and he goes on to say, which is certainly not in accord with our information, that he never heard of a case where the reduction of the original rents were refused, where the reductions were absolutely necessary. "Previous to the agitation," he said, "a very large portion of the lands about Millstreet were entirely too over rented, and I was often surprised when I asked the people that they did not complain about their rents. They seemed satisfied. They seemed contented, and I was greatly surprised

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“ because I thought, looking at the aspect of the country and of the land, that they “ really were greatly over-rented.” The excessive rents which prevailed and the very deep and great distress were the causes which provoked the agitation, that is page 1,379. I think it is fair to make this observation, that it may well be doubted, whether if Canon Griffin, as the priests in other places did, had taken an active part in guiding the people under his charge, rather than of showing opposition and hostility to them, that he probably might have—I would respectfully say it of him—that he probably might have effected more good.

My Lords, I pass to Galway. From Galway evidence was given of 42 cases of outrage and crime, of which unhappily as many as 12 were murders. In most of those cases the connexion with the local branch of the League was either not asserted by any of the witnesses or was in many instances disclaimed expressly by the witnesses.

Now some of these cases were remarkable. There was the case of Rafferty, who was carded on the 29th May 1880, and the Attorney-General, at pages 35 and 44, where he refers to the case in his opening speech, suggested that that was in consequence of a speech made two months afterwards. I do not mean that the Attorney-General used that language; but it is very easy to fall into a mistake of that kind. As a matter of fact, the speech the Attorney-General was observing upon was made on the 25th July 1880, and the carding in the case of Rafferty was the 27th May of the same year. Rafferty's case is at page 491.

Then there was the case of Cannair, whose house was burnt, and I would like to remind your Lordships of his case. It is at page 620. His house undoubtedly was burnt, and the suggestion was that he was threatened for paying rent. I think there is not the least doubt from what happened in the course of that case, which I will remind your Lordships of, that he had so stated to the other side, that he had so stated to the policeman, or to whoever it was that he first made his communication; but in court he denied it. Then follow the cases of Fallow, at page 595; Corless, at page 602; Leonard, at 617; Conway, at page 630; Joyce, at page 639; J. Conway, at page 835; and P. Sullivan, at page 844. And in no one of those cases, as far as with the assistance of my friends I can ascertain, is there any suggested connexion. Hoarty's case your Lordships may possibly recollect.

(*The President.*) I do not know it by the name.

(*Sir C. Russell.*) There are so many. It is page 757. Although he was a Land Leaguer, he was moonlighted. He expressed the strong opinion that the Land League had nothing whatever to do with it; and it is observable that certain persons were tried and punished for that moonlighting expedition upon him; and none of them (I believe I am correct in saying) were shown to be Land Leaguers.

Then, my Lords, there are the cases of Small, at page 685; Hughes, at page 676;—I am going back—Lydon at page 686. Those, my Lords, were cases of simple boycotting where there was no violence, and where the boycotting was not of any great severity.

Then there is the case of Honan, at page 663, and J. Conway, at page 835; and in those cases the outrage was condemned and denounced, as indeed it was in one or two of the others I have mentioned.

Then, my Lords, I come to a case connected with Mrs. Blake, of Renoyle, at page 641; and Botterill, at page 604; and although all those cases, I think, may well be accounted for, when they come to be examined, by the supposed harsh conduct of the landlords, I have something further to say about Mrs. Blake's case. Mrs. Blake, your Lordships will recollect, was a lady who gave her evidence with a great deal of animus, and if her story was literally the whole truth, perhaps it would not be unnatural. She was a lady whose herd followed her into the box, and who, as he came into the box, referred to Mrs. Blake as “ Her Royal Honour ”—I do not know whether your Lordships recollect that.

(*The President.*) Yes.

(*Sir C. Russell.*) An expression very common, certainly showing a curious condition of servility to which the Irish class were reduced. There will be something said about this lady in the course of the evidence. If the accounts put before me were true, it would be extraordinary if there were not the very strongest feeling in her regard. I am not putting it forward in the least—I need not say as a defence, or justification—but as showing there was a connexion with the cases quite outside the Land League.

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For I know the district well, and a more miserable class of creatures it would be difficult to find anywhere. Of those tenants a great majority, as your Lordships will see, received relief and lived to a great extent upon the relief fund, and she assisted in the distribution. And I believe it will appear did not contribute one farthing towards it.

(*The President.*) I have an impression she said so.

(*Sir C. Russell.*) Your Lordship is right; she said so.

Bothrill is another case that will exhibit the same thing. But I have particularly to call attention to this case at Renoyle, which is the place where this lady lived. It is close to Letterfrack. Letterfrack was the scene of the murder of the Lydens, and your Lordships will recollect the story of the Lydens was one of the saddest stories in the whole case, and you will recollect that it was that murder for which one of the Walshs suffered, and paid the penalty of death. He was the son of a tenant evicted by a neighbouring landlord called Graham, and the story of the informer, whose name was Mannion, your Lordships may recollect, was supplemented later by the story of the boy who was too young, as he told us, to be sworn into a secret society. But he spoke to having been mixed up with some of the criminal proceedings. They spoke to meetings of this body, all of them, with the exception of this boy, sworn members of this secret society, and Coleman was brought to say that the meetings at the house of the widow woman Walsh, the mother of the boy who was hanged for the murder of the Lydens, were Land League meetings. My Lords, the examination shows that it is the merest idle pretence and invention to suggest anything of the kind. The parish priest and curate of that neighbourhood were at the head of that Land League, and, as I am instructed, more evidence will be given before you, which will show your Lordships not only the state of that district, but will prove that none of these men had any connexion with the Land League, and that it is a complete and absolute invention to suggest that at Mrs. Walsh's house any Land League meeting ever was held.

My Lords, as regards Galway, it is further to be recollected that there is no doubt, evidence of the wide existence of distress, and of the small efforts made by the landlords, by any effort of their own, to relieve it or to meet it. Further, my Lords, Woodford is in Galway, and some of the serious murders which have taken place, your Lordships know, in this connexion, have been in cases connected with the management of Lord Clanricarde's estate, and whose conduct was described by his own counsel, in relation to the landlord, as "the devil's work," and undoubtedly he has been the centre——

(*The Attorney-General.*) No.

(*Sir C. Russell.*) I am told that is not admitted; if so, I will not persist in the statement; but it was, I understood so reported, however, I do not want to bring in any matter of controversy; it is not worth while; but I will say this, I will speak of the occasional gleams of intelligence which pass over the conduct of the "Times" in reference to Irish matters, and this was one of them. I can refer your Lordships to articles relating to the conduct of Lord Clanricarde, and in relation to his tenants, as strong as almost anything which has been said by any of the Irish members in relation to that conduct. So much for Galway.

The next evidence relates to Kerry, in which 65 outrages have been proved, of which 65 outrages—11 are over a period of 10 years, and were murders—six of which only—six of which murders I mean—only have been given in evidence in the course of this case. These, of course, I will deal with separately. Again, my Lords, the same general observation is to be made here, that in many of those cases the alleged or suggested connexion with the Land League is discharged by the witnesses, or it is not suggested; or where suggested, as it is in the evidence of what I may call the official witnesses—as, for instance, the evidence of Crane and Davis—it is put forward as a matter of opinion, or of suspicion, but in support of which no tangible evidence is offered. And I think that will be found to apply to the case of Ray, at page 851, of Clifford, at page 864; of P. Sullivan, at page 891; McCarthy, at page 901; Williams, at page 910; Dowling, at page 912; Prindeville, at page 916; Breen, at page 942; and Galvin, at page 1,151. There is a case of Brown, at page 1,156, where there was an intervention of the League after the outrage had been committed; but, as I am instructed, there was no League; that was a case at Castleisland. There was no

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League in existence at Castle Island at the date of the outrage. Then there is the case of Donohoe, at page 1163, Cronin, at page 1236, and Sheehy, at page 1261. Another group of cases from Kerry, which cases may be called the Aniscaul cases, which your Lordships will find are conveniently put, or almost entirely put together—beginning at page 1197, down to page 1205. They are cases of boycotting, some of them trivial cases of violence, none of them serious, and your Lordships will find that Sergeant Shea, one of the witnesses called to prove them, while speaking to some of those, admitted that that district of Aniscaul was free from serious outrage. Then, my Lords, the cases which seem to be important in Kerry are the cases spoken to by the three informers, O'Connor, Buckley, and Tobin. O'Connor is the only witness who has said anything tending to implicate any of the persons he had accused by name, and he has mentioned the name of Mr. T. Harrington. I will hereafter deal with his evidence, as far as relates to Mr. T. Harrington, when I come to examine the case relating to individual members. Buckley and O'Connor will be dealt with also more fully hereafter, when your Lordships have had the evidence of both sides before you, I will only point out in the meantime that the evidence of Buckley and of Cronin as well as of O'Connor, stand without any substantial corroboration, because the only corroboration, or the only substantial corroboration of it, really, merely pointed to show that occurrences—that is to say—outrages, or moonlighting, such as Connor spoke to, had, in fact, occurred. But there was no one called whose evidence amounted to corroboration—there was no one called who gave any corroboration in their account, in the sense of showing who was present and took part with O'Connor or Buckley, or the others, in the way they alleged had taken part, and an instance that will easily be recalled to your Lordship's mind, I would mention that extraordinary story in reference to the man Roche—I do not know whether your Lordships recall it.

(*The President.*) Do you mean about the case of the pistol?

(*Sir C. Russell.*) Yes, that is the case, the story of this man Buckley going with a pistol, with the intention, as he asked your Lordships to believe, that he intended to murder Roche on the high road, or in the field adjoining the high road, and that he clicked his pistol four or five times; that he was then taken up by Roche, and that in view of this the magistrate treated this matter by calling upon Buckley to give bail and keep the peace for 12 months; whereas if Buckley's account were to be believed there was a distinct murderous attempt on the part of Buckley, and an offence which, according to Buckley's suggestion, he had been instructed by certain members of the local branch of the Land League to commit.

My Lords, I again repeat that, with the exception of these informers, whose evidence I have mentioned, there is not a particle of evidence suggesting that directly or indirectly—except the question of O'Heran's cheque, which I will deal with by itself—connecting the central branch or the local branch, or any member of the central branch, or any member of the local branch—there is no communication, directly or indirectly, to suggest that one farthing of money was ever paid in connexion with any crime or any suggestion of outrage.

I have further to observe, as regards Kerry, that while on the one hand the League was weak, secret societies were undoubtedly strong, especially in Castle Island and the causeway districts, and I have to call your Lordships' attention also—it will be given in the course of the evidence, in fuller detail, to the fact that very frequent denunciations of crime, apparently sincerely earnest, hearty denunciations of crime were in the local paper, the local organ of the League, the "Kerry Sentinel." And lastly I have to call you Lordships' attention to what is perhaps the most extraordinary fact of all, that while there have been many persons prosecuted, and many persons punished in respect of moonlighting outrage in Kerry, and there are some men, said to have been punished, who were members of the Land League, there is no case, and I would be glad to be corrected at the moment if I am wrong—there is not a single case of any member of the Land League in official position, as president, as treasurer, as vice-president, or as secretary, who has ever been charged in reference to any of these occurrences. I believe I have stated it broadly, but I believe I have also stated it correctly.

Now, my Lords, so much for the general evidence other than of murder. I now come to the murders. Let me give you the figures. Of course, your Lordships understand that here I am dealing with the cases of crime, of which evidence has been given before your Lordships. I mean the circumstances, because as regards the mere scheduling of

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the list of crimes which have occurred, but as to which no evidence has been given, I do not feel called upon in the least to treat those, because there is no evidence in the least connecting them with the Land League. These murders are in point of time described thus: In 1880, three murders; in 1881, seven murders; in 1882, 12 murders; in 1883, none; in 1884, none; in 1885, two murders; in 1886, one murder; in 1887, none; in 1888, one murder; making up the number of 26—as to which evidence has been given—and your Lordships will follow from the evidence I have given, that more than half of those murders, details of which have been gone into before your Lordships, about half—I do not wish to state it more broadly or more strongly than is literally accurate—more than half occurred during the suppression of the Land League, and while the leaders of the movement were in prison.

Now I will examine the cases, taking the counties in the same way. The case of John Regan. I am taking Cork county first, it is the only one in Cork. The outrage on him occurred on the 29th December, 1885. In this case the Attorney-General, at page 272, in opening referring to the case, said that he believed that he would be able to prove that members of the Land League were engaged in the outrage. Now I will tell your Lordships what the evidence is. Regan was a sub-tenant of one Sullivan, and Sullivan was evicted by Beamish, his landlord, in April 1880. Regan, however, was continued in his tenancy and got part of Sullivan's land; and the evidence of this poor man's daughter is, that after that, a few of the neighbours behaved a little different. Then, not until 1885, is this outrage perpetrated upon him. Then it is said that the Friday before the outrage, a crowd came on the farm, and shouted at him and called him a grabber. That is the whole of the evidence—I mean the pith of the evidence in relation to John Regan. Then an attempt was made, I think hardly a generous attempt, to suggest that the President of the Land League, the Rev. Mr. Murray, the parish priest, would not visit the family; but as a matter of fact, although it was said in examination in chief, the cross-examination, as your Lordships will see at page 1,265, showed the parish priest did not go, because he sent the curate, and the curate went to visit the family in their trouble; and really upon that small foundation the fact that this parish priest was the president of the Land League is based, or intended to be based, the suggestion that he was in some kind of sympathy with this shocking crime. My point is, that as regards that, there is no connexion suggested by any of the evidence between this outrage and any connexion of the Local League as a body, or any individual of the Local League.

Now, my Lords, the next is the county of Mayo, and the first case I have to refer to is the case of Feerick. He was shot on the 29th of June 1880, but died on the 25th of August 1880. He was agent for a number of landlords, including Mr. G. A. Brown. The Attorney-General, in opening this case, referred to meetings on the 2nd and 3rd of May 1880, addressed by Mr. Parnell, Mr. Davitt, and others, at Irishtown, and it was suggested that after that meeting, namely, on the 4th of May, that there was an attempt at outrage upon him, of which, however—whether it be true or not I do not know—no evidence has been given at all. But what I have to say is that neither at that meeting, nor at any other meeting, at or about, or in connexion with this event or time, was any reference of any kind, direct or indirect, made by anybody. There were meetings at Ballyglass, which is an entirely different place, and at Shruve, but no reference whatever made to Feerick, and I shall challenge the reference to any, if it is suggested that there was any. It appears that this unfortunate man had been party to the eviction of one Garrity in the year 1879, and—I cannot give you the exact page where that appears, but it will be close upon page 1,527—this had created a very bitter feeling in the minds of the neighbours.

Therefore, my Lords, that is the whole of the case before the occurrence of this condemnable and most unhappy outrage. I quite agree that certain events followed that which cannot be too strongly stigmatised. I refer particularly to a speech that a man called Scrab Nally is supposed to have made about Feerick at the very time he was lying ill. That was most condemnable, and I would desire, in as strong language as I could use, to denounce it; but, as a matter of fact, his language upon this occasion was not at a Land League meeting at all. It was at a place called Bohola, and he improvises a meeting in the market place. He was on his way from Cong to Bal-linrobe, and there is no pretence for saying that it was in any sense a Land League meeting; but I admit this—the incident does point—very strongly point, to the

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existence of an exceedingly bad feeling in the minds of the people in the neighbourhood, who tolerate such language under such circumstances, in the case of a man particularly who was lying on what proved to be his death bed. There are one or two instances of a shocking state of feeling which, of course, everyone is shocked at and must earnestly regret to see manifested.

This is the whole of the case except the fact that the solicitor who defended certain men charged with the offence was instructed by some one connected with the Land League, I think it was said, the chairman of the local Land League or the president of the local Land League, but these men were acquitted, and no one has a right to say, after that fact has been established, that there was anything wrong or to be condemned in taking that course.

I have had occasion before to refer, and I shall again refer to the general sense of distrust rightly or wrongly entertained, based upon reasons to which I shall hereafter make some reference, in the administration of the law. It is a sad thing it should exist, still sadder if there be any ground for it.

My Lords, this is the whole of that case, with this addition, that after the occurrence of the outrage, it was, as your Lordships will have proved to you, denounced strongly at the Land League by Father Cassidy.

The next is the case of Luke Dillon Ballyhaunis. The evidence your Lordships will find at page 1577. He was tenant on the estate of one Farrell, and the suggested reason of the murder was that he had assisted the sheriff at certain evictions on that estate. His son received a threatening notice, and his son's hay was burnt. But this case, I am glad to say, was in contrast with the last that universal sympathy seems to have been displayed towards Dillon and his family. The funeral is described by the policemen and others, at pages 1578 and 1580, as being a large funeral, the neighbours being kind and sympathetic, and this is suggested, I do not do more than say it is suggested, that Luke Dillon was a man who was in the habit of carrying about with him considerable sums of money; that on the occasion in question he was found on the night after the outrage was committed upon him with no money at all. Therefore, undoubtedly, in the minds of some people there, the character of this outrage was other than agrarian.

That, my Lords, is the second of the Mayo ones. I leave that by pointing out that unless I am quite wrong in my examination of the evidence there is not one tittle of evidence to connect that case with the Land League or with any member of the Land League.

The next is Patrick Freeley, of Blackloughbay. This was the son of a man called David Freeley, a poor old man who was called before your Lordships (page 1566), but who was not alluded to by the Attorney-General in his opening, and this old man Freeley, I recollect the old gentleman well, one's sympathy went out to him naturally, he, bearing this great sorrow and trouble, appeared to prove the circumstances of the case, he even earnestly disclaimed that the Land League in his opinion had anything to do with it whatever. It appears that his son's death came about in this way, that he was visited by a party of moonlighters, or some such class, that they demanded where was the bloody rent payer, and he went on to say that all his neighbours had like himself paid their rent. He himself was a member of the Land League and on the committee of the Land League. The murder was denounced by the League and by the Catholic priest. The Archbishop, Dr. McEvilly, appears to have come down specially in view of this and denounced it very strongly, and apparently no one in that neighbourhood has suggested or appeared to entertain the opinion that it was in any sense a Land League outrage. No connexion (it is sufficient for my purpose in the evidence) whatever is shown with it.

The next is Thomas Barrett, the 10th of May 1882, your Lordships will find the evidence beginning at page 1544. This man, so far as I could see, had done nothing which would have been calculated, even in the state of opinion prevailing at this time, to bring down upon him the animadversion of his neighbours. It appeared all he had done was to take some grazing from A. S. Bougham, which one Reilly had given up shortly before, but this is suggested, your Lordships will find, at page 1535 and 1545, that Barrett had, in reference to the murder of a man called Carter, which had happened some time before and which has no bearing upon any question your Lordships are considering, that this man Barrett was supposed to have had, or suspected of

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having given, or said that he could give information as to the parties who were mixed up in Carter's case.

I do not mean to say it is very definite. His poor widow was examined and cross-examined, and at page 1,545 she says: "Up to the day he was shot I never heard of any unkindness—up to the very moment we were on good terms with everybody." That is to say, with the neighbours. "My husband said to me that some particular man, " he thought, had shot at Carter. He named that man, Martin Hanahan. He did not " tell me that he had said anything about it at the fair." I am reading an analysis of the evidence which gives the substance of it, but, again, it is enough for me to say that any evidence connecting is entirely wanting.

Now, my Lords, I come to one of the cases which, from its circumstances and from the supposed position of the unhappy victim, attracted a good deal of attention—I mean the case of Lord Mountmorres, which occurred on the 26th October 1880.

(*Mr. Justice A. L. Smith.*) You have gone to Galway, have you not?

(*Sir C. Russell.*) This is the first of the Galway cases. I am obliged to your Lordship for reminding me. I have called attention to the Mayo, and now I come to the Galway cases. Broadly put, whoever were at the bottom of this murder, there is no ground for saying—I mean no sufficient ground for saying—from the facts as proved, that it was agrarian at all. Lord Mountmorres's property—your Lordships will see it referred to in the evidence—was very small. He had eleven tenants; his total rental was something like 50*l*. He lived in a very small way. Your Lordships will probably hear some evidence about his mode of life, and how he frequented the places in the neighbouring villages—the character of life which he led. But he had been under police protection from as far back as August 1879, and the hostility against him in the opinion of those in the neighbourhood—and there is a suggestion of this on the case as it is presented—was not based upon agrarian reasons at all, but had relation to his conduct as a magistrate, and there were other causes suggested which I do not desire to pursue; I am content with the negative position. Now what was the evidence in this case? My Lords, the only evidence in this case which suggests a connexion with the Land League, if indeed it can be properly said to be even so much, is the evidence of the informer Michael Burke.

I do not know whether your Lordships recollect that man—I think I can recall him to your Lordships' mind, because I cross-examined him myself, and I have a clear and distinct recollection of him. Your Lordships will find his evidence on pages 1,454 to 1,465, or the principal part of it. He was a man who formerly worked at Jarrow, in the north of England; he joined a Ribbon society; he was in the habit of going backwards and forwards at stated intervals to the north of England, and his story was that there was a secret meeting—an odd place, by the way, for a secret meeting—at the house of Carney, a publican, in Clonbur, and that Carney was a member of the Land League; that he conspired with, I think, two other persons, whose names were mentioned, to perpetrate this murder; that he, Michael Burke, the informer, took no actual part in the outrage himself; that he was not there when it was enacted; that he did not know from his own knowledge who had taken the actual part in the murder, but by reference to a statement which he made of what had taken place on the evening of the same day, and again in Carney's house, and either in Carney's kitchen, or in Carney's bar, he mentions the names of the persons who were mixed up with it, meaning prominently to convey—and that was the main point of his evidence—that Carney, who was supposed to be connected, and who was connected with the League, and who kept the principal public-house in the place, was the plotter of the murder.

This gentleman professed himself to be a member of the League. Before I read his evidence to your Lordships, I will remind you of this further fact, which a little militates against the value of Mr. Burke's, the informer's evidence. It is this, that while Burke himself was taken up and charged with the murder, but afterwards released, when there was no evidence forthcoming against him, Carney, on whom he now desires to fix complicity, never was charged and never was taken up at all. That is not all; but when this man, who has been induced to come here and give your Lordships this account—I cannot recall for the moment the particular policeman who saw him—but it appears—I recollect the circumstance well—that this policeman reminded him, as a district inspector on another occasion reminded a witness of a similar class, that he, Burke himself, was in peril over this matter. I point out to your Lordships

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this; is it conceivable that a man of this class, whose own account of himself is quite enough, if your Lordships will take the trouble of reading it, to judge the kind of man he was, that if he could shift the blame of this murder on to Carney, to save his own wretched neck, just when he was in custody and charged with it, that he would have done so? As regards Carney, I refer your Lordships to the evidence of John Farrell, the constable, at page 2,297. He is called to say simply that he recollects on the day of the murder Burke was, in fact, in Carney's public-house. That is supposed to be a corroboration of the murder, and then he goes on to speak of Carney being in the street on an occasion of the meeting in Clonbur. That is not unimportant. The cross-examination is this—this does not purport to give your Lordships literally, but it is believed to be the fair effect of it put compendiously. His cross-examination begins at page 2,298. He is describing Carney as in the street and certain persons marching in procession with imitation guns—"they marched about with imitation guns." I could not say if Carney had anything more to do with it than any person in the crowd. His house was a mile off. I considered him a respectable man at the time. Burke was in the kitchen; customers came into the kitchen. I did not attach the slightest importance to it at the time. I think he could see that I was a policeman. About that time we were looking up evidence in this particular case. Mr. Burke was suspected. Carney never was suspected. I saw Lord Mountmorres frequently go into Carney's and other public-houses to drink. He was very poor and lived in a very wretched way. It was the rumour at the time he was killed that it was not because of the League, but for giving information to Dublin Castle. And then my Lords, this incident occurred, which is not without its significance. He was asked in cross-examination if, in his judgment, the murder had anything to do with agrarian or any land dispute at that time. The Attorney-General intervenes and objects to the question being put, and it is not pressed.

Your Lordships may have further evidence about this, but I say, as regards this case, there is no evidence worth anything connecting this with the League. I will read your Lordships Michael Burke's account. Again it is a compendious note, such as your Lordships will probably have taken down at the time, of the evidence he "gave I was employed at Jarrow first by a man named Palmer, then by a man named Smith. I do not know what Ribbonman means; it is something to the purpose of Ireland. I do not know the oath the man put to me. I cannot name any others who were along with me; I had not to do with any society there for five or six years. I was charged with killing a sheep, not stealing it. I got free of it. I continued to work in the north of England for some time. I attended a few meetings, but I cannot say where they were. I do not know whether the meetings at Clonbur were Land League meetings or not. I will not swear that the meetings at Carney's were Land League meetings or not. I will not swear that there were any Land League meetings in Clonbur in 1880. I will not swear that there was any branch of the Land League meetings at all in Clonbur before Lord Mountmorres' death. I will not swear that I had a Land League meeting card before Lord Mountmorres' murder. I will not swear that anybody told me before Lord Mountmorres' murder that there was a Land League meeting at Clonbur at that time. I will not swear that Carney was secretary of the League, but that he was the secretary of some kind of branch in the same society as myself." I say, therefore, that as regards Lord Mountmorres' murder, there is no connexion whatever shown with the Land League.

My friend, Mr. Reid, reminds me of the kind of character that this man is—that though he took no part in it himself, although he knew there was this infernal design against the life of this poor man, he did nothing whatever to warn him, although he saw him go by as he alleges—although he saw him drive past as he alleges, near the place where he was working, where he could with perfect impunity to himself have warned him. I should like to say before I pass from this last case, that upon the next occasion, this murder having occurred on the 26th September 1880, on the 3rd October 1880, at the next meeting of the Abbeymoy branch, which was the nearest to Clonbur—in fact, as I am informed, there was no Land League at all at Clonbur at this time—Father O'Gilligan denounced the murder strongly, and I refer your Lordships to the evidence of O'Malley the police constable, at page 465, who proved that fact. Your Lordships will recollect he was one of the first witnesses, and was one of the short-

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hand writers. My reference to the case of the Lydens will be shortened by the reference I have already made to it. I made the reference to it, your Lordships will recollect, when commenting upon the case of Mrs. Blake, of Renoyle. The story is a very sad, but a very simple one. It appears that the landlord called Graham, who had some land sloping down to the bay, which I think is called Ballynakill Bay, at Letterfrack, had a tenant of the name of Welsh. That tenant was evicted, and this poor person Lyden and his son were simply there as herding cattle of Graham's on this land. Welsh continued to live in the cottage by the roadside close to the crossroads at Letterfrack, one road leading down to Renoyle, the other to Clifton, and it is not very far from that to the other, Kylebeg, I think the name of the place is, and at this point these persons, the family of the evicted tenants, the Welshes were living.

My Lords, it really is enough to say, in reference to this case, that it was proved that this was an act of individual vengeance of the Walshes, and of the friends in concert with the Walshes, because the son of the evicted tenant, the son of this widow woman, the evicted tenant (the father was not living), was tried and hanged for the murder, and another son of the same evicted tenant, the widow Walsh, was sent to penal servitude for being connected with the murder of the police constable who was engaged in getting up the evidence convicting his brother. I have referred already to the evidence that will be forthcoming, as I am instructed, from the clergyman who lived in this place at this time, to show that there was no pretence for saying there was any connexion between the Walshes and the League. It is quite properly pointed out to me that when this man Mannion attempts to impose himself upon your Lordships as being a member of the League, his evidence is very important. He says he never heard of Fenianism before 1880. He himself was charged with Lyden's murder. He was imprisoned and was only let out when his mind gave way. Then he was taken to an asylum, and afterwards allowed to leave the asylum. "I never heard of Fenianism before 1880. Father McAndrew is the parish priest." That means was the parish priest at that time. "I did not know him to be president of the Land League, nor did I know Father O'Connor to be the secretary of the Land League. I would not call these Fenian meetings, because Fenians would shoot a man before his face. All at Mrs. Walsh's were Fenians; we knew one another by secret signs. I got a Land League card. Pat Ruane and Varilly asked me to join the League. Varilly is of Letterfrack. I cannot swear there was a Land League in Letterfrack in 1880. Pat Walsh, the son of the evicted tenant, was hanged for the murder." That is from page 732 to page 736. Then in re-examination the attempt to set him up is rather remarkable. He says in re-examination: "I never went to Mr. Walsh's before getting the Land League card," which, however, he did not produce. "I went because I was a sworn member of the League, I suppose, or whatever they were. I do not know what they were." Here is a man who says: "I did not know who the president of the League was; I did not know who the secretary of the League was," and yet he is put forward in order to supply a connecting link—a rotten connecting link it proves to be—between the outrages and the League. It is quite important I should make this clear. It will prevent my going back upon it again. The points I am now insisting upon are corroborated by the evidence of Thomas Heanne (the cross-examination is at page 2,835), who is called to give corroborative testimony of Mannion. I think your Lordships will probably recollect him. He is the boy I have already referred to, who said he was too young to be sworn into a secret society, and that was the only reason he was not. But this man comes to give the same account. "(Q.) Do you know Father McAndrew?—(A.) I do. (Q.) The parish priest?—(A.) Yes. (Q.) Did you know Father O'Connor, the curate?—(A.) I do. (Q.) Was Father McAndrew the president of the Land League?—(A.) I did not hear him. (Q.) He was not the president of the League that met at Walsh's?—(A.) Well, I am not sure. (Q.) First of all, did he ever take the chair at Walsh's?" He was asked in the most solemn way by my learned friend Mr. Atkinson as to whether when he attended the meeting at Walsh's there was not a motion that somebody should take the chair, and that then there was a resolution passed, and my learned friend would have sought by his examination in chief to convey to your Lordship's mind that there was something like a regular gathering, a regular convention, and a regular formal resolution of the local League. "I did not hear him. (Q.) He was not the president of the League that met at

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“ Walsh’s?—(A.) Well, I am not sure. (Q.) First of all, did he ever take the chair
 “ at Walsh’s?—(A.) No, I did not hear of it. (Q.) Or did you ever see him at
 “ Walsh’s?—(A.) No. (Q.) Father O’Connor, did you hear that he was secretary?—
 “ (A.) No, sir, I never heard of that. (Q.) At all events he was not secretary of the
 “ League that met at Walsh’s?—(A.) No (Q.) You never saw him there?—(A.) No,
 “ I never saw the man.” So much for Lyden’s case.

My Lords, then there is the case of James Connors. He was, poor man, driving on the road near Kiltulla, which is close to that centre of disturbance in this county that we are now upon, near Loughrea. This is the case in which the widow told a story that seemed inexplicable until the explanation had been suggested. She said that on the road her husband was shot. No doubt that was perfectly true. She said that she knew the three men who had committed the murder. She conveyed that they were members of the Land League. Only two of the three were in fact charged or tried, and both were acquitted. My Lords, I believe that evidence will be forthcoming to this effect. I am very loth to pledge myself distinctly to it, but, as I am instructed, the facts are that when asked after the occurrence by the magistrates whether she could identify the persons who committed the outrage or any of them she said not; that later, after the expiry of some nine months, she swore to two persons, and that without calling upon the defence, it being tried before a judge of the superior court and a jury, upon the two inconsistent statements being made first at the time that she did not know and could not identify, and nine months after that for the first time she said she could identify, these men were acquitted.

But now I want to call your Lordships’ attention to a little incident in connexion with this poor woman’s evidence. My learned friend Mr. Murphy was examining this woman at page 508. “ Had you known the men before; did you know the men before
 “ this outrage?—(A.) I did. (Q.) Knew them well?—(A.) Yes, I did. (Q.) Were
 “ they tried?—(A.) Yes. (Q.) Did you give evidence against them?—(A.) Yes.
 “ (Q.) Were they convicted or acquitted?—(A.) Acquitted; they were acquitted.
 “ (Q.) What were the names of the three men?” And then follows my friend Mr. Murphy’s observation, which runs thus, and which is significant: “ I shall want to
 “ show, my Lord, they were prominent members of the League.” That is his statement. “ I shall want to show, my Lord, they were prominent members of the
 “ League.” That is, these men charged and acquitted. “ (A.) One, Keogh; one,
 “ Ryan.” (Q.) Who was the other?—(A.) I do not know.” Now, before I follow this up for a moment, I want to point out the hardship of the position in which we are in this matter. If it be (as I am instructed) true that this woman, before the magistrate, immediately after the murder, said she could not identify these people, and that it was only nine months after that she said she could, it is perfectly obvious when a man’s life is in question, no jury could act, and no judge would allow a jury to act upon such contradictory testimony as that. But not knowing anything about this lady, or having any notice of what she was going to prove, we were not in a position to cross-examine her, and, if necessary, I should even ask your Lordship that she might be recalled for the purpose of putting these questions to her. We have endeavoured to get the depositions she made upon these two occasions; but the immediate point I am upon is this: my learned friend Mr. Murphy, perfectly *bonâ fide* I have no doubt, upon instructions which certainly throughout this case have proved singularly unreliable, said: “ I shall
 “ want to show, my Lord, they were prominent members of the League,” referring to these two men who were charged, and who were acquitted. Now, what is the evidence? The witness who was called to prove the prominent character of these members of the League is a witness Hughes, a police constable, and he is called at page 509. “ You know the case of Connors,” and so on he is asked. He speaks in reference to meetings. “ Have you attended meetings of the Land League?—(A.) Yes. (Q.) Do you know
 “ the three men mentioned by Julia Connors in her evidence as having been those who
 “ attacked her husband John Riley, Patrick Keogh, and Edward Fahy?” As a matter of fact she had only just before said that Keogh and Ryan she knew, but “ Who was the other?—(A.) I do not know.”

(*The Attorney-General.*) She did mention the name in the next question.

(*Sir C. Russell.*) Yes, she does. Having first said she did not know, she then proceeds to mention him. This is what he says, “ Do you know the three men
 “ mentioned by Julia Connors in her evidence as having been those who attacked her

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husband, John Riley, Patrick Keogh, and Edward Fahy?—(A.) Yes. (Q.) Have you “ seen any of them attending those Land League meetings?—(A.) Yes, invariably they “ attended the meetings there, some of them with Land League cards in their hats. “ (Q.) Did they take a prominent part?—Those are the men who are said to be prominent members of the League—“ (A.) Well, I never saw them on the platform. “ I saw them in the crowd. (Q.) With Land League cards in their hats?—(A.) Yes. “ Cross-examined—(Q.) How many people would be at these meetings?—(A.) I dare- “ say the last meeting I saw held there were 6,000 people.” So that the fact of men not being on the platform, but having cards in their hats and attending a meeting which may have numbered 6,000 people, is the foundation, at least the proof in support of the statement that they were prominent members of the Land League.

Now the next case is the case of Peter Dempsey, also murdered under sad circumstances. Your Lordships will find the evidence relating to that case principally at pages 500 to 506. This is the case arising from the eviction of a man called Birmingham, whose name your Lordships may recollect, who is shown in the evidence to have been in the possession of his little holding all his life (and he was above 70 years of age), and who had himself lived there all his life, and whose family had lived there before him as far as the traditions of his neighbourhood went for years and years. He was evicted. The farm was taken by a man called Murty Hynes, and it is perfectly true that Mr. Matthew Harris, one of the accused parties, took strong action in relation to Murty Hynes’ course of conduct. That was at a Land League meeting held on the 19th September 1880. The result was that Murty Hynes gave up the farm, and then this unfortunate man Peter Dempsey took it. The meeting at which Mr. Matthew Harris spoke was on the 19th September 1880. He is not shown to have taken, and I am instructed did not take, act or part in the matter after that date, and that was by (I have not read it, and I do not know, I will assume so) a strong speech condemning Murty Hynes for taking the farm from which Birmingham was evicted. It was not until May 1881 that this man Peter Dempsey, immediately after his taking it, lost his life.

(*Mr. Justice A. L. Smith*) It was vacant till March.

(*Sir C. Russell.*) Your Lordship is quite right. It was vacant till March 1881, and on the 29th May 1881, the man Peter Dempsey lost his life. The meeting, therefore, was some eight months before. I do not know whether it appears in evidence, or whether it is evidence that is to be submitted, but I appear to have got a note that Dempsey’s own brother was secretary of the local branch of the League. If it is not already on the note, it will probably be established in the course of the evidence. Your Lordship will find in the evidence of Barry, who was a police inspector who was called, and whose evidence for this purpose is at page 500, he speaks to the existence of a very strong feeling in the neighbourhood in relation to land-grabbing. Of course, your Lordships may take what view you think right in reference to Mr. Harris’ conduct in relation to Murty Hynes in giving up the farm. I have pointed out to your Lordships already the reason why there does exist this strong feeling against the taking of evicted farms, because it would be eviction made easy if, without any reprehension or without any condemnation by the public opinion of their class, persons were to be allowed to take farms from which others had been evicted under circumstances of harshness. But it is enough for me to say that after that date, the 19th September 1880, Mr. Matthew Harris is not shown to have taken any part directly or indirectly in reference to this farm.

The next case I can dismiss in a sentence. It is the case of Sergeant Linton, Loughreagh. It is the case in which a publican of the name of Clark, and his wife were arrested on suspicion of being parties to the murder; but there is no agrarian cause whatever suggested, so far as I can see, from beginning to end in reference to that murder of Linton. The only thing that is said of him is that he took notes at Land League meetings. Well, a great many other policemen did that, and we have not had a syllable of a suggestion that any animosity was directed towards them merely for that reason, and as a shorthand note taker he gave evidence in the State Trial in December 1880, or January 1881. I ought to say in passing that, undoubtedly, in that case as in several others, very little sympathy was manifested, and a very bad feeling was displayed in the neighbourhood of Loughrea in reference to it.

The next case is Peter Doherty who was a tenant of Walter Burke. He lost his life on the 2nd November 1881, after the suppression, as your Lordships, of course,

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will be aware, of the League. No connexion with the League or with any members of the League is attempted to be shown in the course of the evidence. Two men were tried for the offence, and two men found guilty; and no evidence at all points to even the fact of membership of the League. I do not wish to state anything which I cannot at once refer your Lordship to authority in support of, but I am told that one of the two persons who were tried was in fact a policeman, and he was sentenced. I am quite right. It is page 567—two men were found guilty of the murder of Doherty; one was a policeman. Then there is this item which is rather extraordinary. “Re-examined. The convicted policeman was connected with the Land League, and “secret societies also.”

The next case is, in some of its circumstances, an extraordinary case. It is the case of the Huddys, not far from Clonbur, in the neighbourhood of Lough Mask. These men were process-servers on the estate of Lord Ardilaun, and there seemed, in January 1882, to be the intention, on the part of the agent of that property, to serve a considerable number of eviction or other like notices. The story of this shocking occurrence is told by the man Kerrigan at page 590, who was himself charged with being the murderer, who was taken up under that charge, and who was only released when he turned informer and gave evidence against certain other men; and two other men named Higgins and Flynn were hanged for this greivous outrage. If your Lordships knew the wild country district which was the scene of this tragedy you would be surprised to hear that there was any suggestion of the Land League there. The account which Kerrigan in fact gives, beginning at the page to which I have adverted, amounts to nothing short of a rising of the whole village population against these men. Now, what is the evidence which is supposed to connect the Land League, or anybody connected with the Land League with this? Literally none before the occurrence, and equally literally none when it comes to be examined after the occurrence. The attempt was made thus. It appears that Kerrigan, having been arrested on the 3rd of January, and no evidence being forthcoming against him (your Lordship will find this at page 594), he was discharged in about six weeks' time, and he was re-arrested apparently as a suspect on the 21st February 1882, and after that date there was evidence given to show a payment of 7*l.* was made by one Mrs. Keating, a member of the Land League, to the family of the man Kerrigan by the hand of his wife, Bridget Kerrigan, during the time that this man was in custody. That is the whole story from beginning to end. That was after he had been discharged from the charge of murder, and when he was re-arrested as a suspect on the 21st February 1882. And, lastly, the evidence further shows that the two men who were hanged for the murder of the Huddys (I think the fair result of the evidence is that a great many more, I am sorry to say, were concerned in it) were men amongst others against whom the Huddys had, at the moment they were murdered, in their pockets processes of eviction—to serve upon Flynn and upon Higgins. I do not wish to omit anything. I have not a note of it, but I am told there is this suggestion in the evidence of Kerrigan. He was a witness who spoke Irish, and I am not sure that we perhaps got to the bottom of the matter; but I am told that he did say that on one occasion he had given to Flynn 6*d.* He says (at page 589) “Flynn belonged to the Land League, I gave him 6*d.* once for the Land League.” I am reminded (I had forgotten it) that there was, at the moment he was giving his evidence, an interruption on the part of my learned friend, Mr. Harrington, who understands Irish, that the witness had not said for the Land League at the moment it was supposed he had. I think the circumstance is really too trivial to dwell upon.

The next case is a case I have already adverted to and can dismiss in a sentence; that is the case of Sergeant Kavanagh, at Letterfrack, a man who was engaged in getting up evidence in relation to the murder of the Lydens, and for this murder one of the Walshs was hanged. This also was after the suppression of the League.

The next case is the case of Walter Burke and Corporal Wallace, who were shot. I think that there are two Burkes of that name. He is to be described as Walter Burke, of Curraghlee. Corporal Wallace was obviously not the object of the murderers, but was accidentally shot, being in control of Burke at this time. I do not think there is anything in the way of any direct connexion suggested with any speeches or with any action. There is a speech referred to as having been made at Claremorris, by Girton, on the 13th April 1881, but the murder in question took place on the 8th May 1882; so that it was 13 months after the alleged speech. That speech was referred to by

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the Attorney-General in his opening ; but as a matter of fact it was not proved to have been made. I really do not know one way or the other whether there was such a speech made, but I presume the statement would not have been made without some authority for it ; although it may have been an unreliable authority ; but at all events it stands thus, that assuming that a speech was made, it was made on the 13th April 1881, and it is very difficult to see any casual connexion between such a speech delivered at Claremorris and the grievous outrage which occurred on the 8th May 1882, 13 months after, at Ardahan. There is in this connexion again an ugly incident—not one that has any direct connexion with the story itself or the responsibility for this sad occurrence, but which again is one of those incidents that I was referring to before, which showed the undoubtedly bad temper that there prevailed. There may have been some high colouring, a little exaggeration perhaps in the incident ; but it was that upon the occasion of the murder a number of persons were found certainly conducting themselves in a most unfeeling way, to use the very mildest language, at the scene where the murder had occurred.

The next case I regard as one of the saddest cases in the whole of this dismal story. It is the case of John Henry Blake, which occurred on the 29th June 1882. I say one of the saddest, because, although Mr. Blake had the grievous misfortune to be Lord Clanricarde's agent, undoubtedly it is just to that man's memory to say that he was exerting such influence as he had (if anybody can be said to have any influence with Lord Clanricarde) on behalf of the tenants. There is no doubt, from the account that his poor widow gave your Lordships, that he felt that justice and humanity alike suggested that some relief from oppressive rents should be given to the tenants in the circumstances in which they were then situated. But unhappily for his agent, Mr. Blake, and unhappily for the peace of mind of Mr. Blake's wife and family, Lord Clanricarde appears to have turned a deaf ear to those appeals. Your Lordships will recollect the incident, that after his death, when his wife naturally desired to vindicate her husband's memory, the power of the Court of Chancery was invoked to prevent the publication of the correspondence which had passed between him and Lord Clanricarde, and which, I presume, she thought would have gone to vindicate his character and his humanity.

Here, again, my Lords, there is no connexion of any shape or kind between the Land League or members of the Land League and this murder. There was a suggestion undoubtedly made which has no bearing upon the main question, I should be sorry to think Mrs. Blake had not been misled in her account of the matter, for she suggested that there had been some apparent delay on the part of a clergyman, the Reverend Father Egan, in coming promptly to her husband's assistance ; but, again, although that, of course, is an incident important to her, and important to him, it has no direct bearing upon the matter in question. I would call attention to this—not for the purpose of emphasizing the mistake, because we all of us, especially in a case of this complication are sure to make them—but the Attorney-General, at page 50, in opening the case, said he was under the impression that he would be able to show that Mr. Blake had been referred to in a speech of one Griffin, and a speech of Mr. Harris. That is an entire mistake. There is no such speech or any speech so far as I am aware, and certainly so far as has been proved, which in any way referred to John Henry Blake, Lord Clanricarde's agent.

There is one other case, and I am happy to say it is the last in this most serious story in Galway. I am glad to say I have now come to the last, namely, the murder of the man Finlay, near Woodford. Your Lordships will see how many of these most shocking stories closed around this neighbourhood of Woodford and Loughreagh. He was a process server. He was certainly unpopular ; but the only connexion attempted to be shown between any Land League branch or any member of any Land League branch, is what I will now tell your Lordship. It introduces the name of Mr. John Roche, of Woodford, a man I am told (I think some of the witnesses have said so) of respectability and a principal citizen, if not the most important person in the town in which he lives—a man who was a member at that time of what was called by the witnesses, "the Tenants Defence Association" which your Lordships will recollect was something existing only in this neighbourhood, and something apart from the Land League, although of course in sympathy with the same objects. The statement is that in December 1885, Roche made a speech, and in the course of that speech said "They

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“ (the landlords) are having their Balaclava to-day ; but some day we shall have our “ Fontenoy ”—some such mixed high-flown figure as that ; and it is suggested that because Finlay was known by the name of “ Balaclava Finlay ” that this was a denunciation of Finlay, the process-server. It seems a little overstrained.

Now I wish to call attention to this. The meeting was held in December 1885 ; the murder is in March 1886. There was strong feeling existing, as several witnesses told us in the neighbourhood against the employment of the police at evictions, and the evidence has shown that while there was up to a comparatively recent time a friendly feeling between the people and the police, that that feeling has to a great extent disappeared, and a different one unfortunately taken its place, since the police as a military force have been employed in carrying out ejectment proceedings.

Now there was one other speech made at that meeting to which I refer, the speech of the Reverend Mr. Egan ; and as that speech was first referred to, Father Egan was supposed to have said, in a murderous and improper sense, that the police would soon be done away with. Well, doing away with a man undoubtedly is a very significant and a very serious thing to say, but on cross-examination it is fair to say that Bartholomew Coursey, who was the witness in question, himself a police constable, quite candidly admitted that he did not understand the language which he had himself deposed to as having been used by Father Egan to mean anything in the nature of their being done away with by improper means.

He is asked this—

“ Did you understand him to refer to the police ?—(A.) Yes. (Q.) And did you, from the context of what he said, understand him to mean that in a short time there would be a change in the government of the country ?—(A.) Yes. (Q.) You did not understand that they were going to be murdered ?—(A.) No, certainly not.”

Then a little lower down he says this :—

“ Was this meeting a meeting of the Tenants’ Defence Association ?—(A.) No, it was a meeting which was got up ; the majority of the persons were persons from the town who were not tenant farmers at all. (Q.) Then how was it got up ?—(A.) There were some persons about the town after the police left and went away to their stations after the day’s proceedings, and the first thing I noticed was some persons moving about the town, and in a very short time a small crowd assembled at that place. (Q.) There had been some evictions that day ?—(A.) Process serving. (Q.) And thereupon after it a meeting gathered ?—(A.) Yes. (Q.) Spontaneously, so to speak ?—(A.) Yes, indeed. (Q.) It did not seem to have been called together by anybody in particular, or for any particular purpose ?—(A.) No. (Q.) A meeting of the people who happened to be in the town at the time of the evictions ?—(A.) Yes. (Q.) There was a Tenants’ Defence Association, was there not ?—(A.) There was one at that time. (Q.) Was not that association a perfectly different thing from the National League ?—(A.) It was. (Q.) It was for the purpose of dealing with, I believe, Lord Clanricarde ?—(A.) And some other landlords in that neighbourhood. (Q.) Particularly Lord Clanricarde ?—(A.) Well, at that time they were engaged with Sir Henry Burke,”

and so on.

I, therefore, submit to your Lordship, first, that no connexion with the Land League is shown at all, and, next, no casual connexion between this speech or speeches of the character I have mentioned in December 1885 with the murder committed on the 3rd of March 1886.

My Lords, I am glad to be able now to say I have finished this repulsive story of the Galway murders.

The next and remaining county I have to deal with is Kerry. Mr. Arthur Herbert was not himself a considerable landlord. He was a land agent, and he seems to have been unpopular rather as a magistrate than as landlord or land agent. Your Lordship will find the evidence relating to this from page 1044 to 1137. He is the person to whom was attributed the advice to the police upon some occasion of some disturbance of apparently not a very important character to “ skiver ” them, and hence came to be known by the name of “ Skiver ’em Herbert.” Now, what is the connexion here suggested ? The story is this. A man called Donoghue was evicted ; his house was

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levelled with the ground; and this is one of the things in connexion with evictions which roused the resentment of the people more than anything else, because even when they are actually turned out of their holdings, the hope does not leave them that they may be able with the assistance of their friends to make terms to get back again into possession of their holdings. In this case, all hope apparently of that was shut out by the fact that upon the occasion of the eviction, the house which the tenant himself, in all probability, or his predecessor, or his father before him, had built, was levelled to the ground.

Now, what is the connexion here suggested? A meeting was held on the 6th June 1881 (the murder being the 13th March 1882—nine months later) at Knocknabull, at which there was a reference by one of the speakers, Curten, to Mr. Herbert, and in which there was also a reference to him by the Reverend Mr. O’Riordan. The reference, I think, that Curten makes, is of a very cursory kind. There was an exclamation by the crowd, “Oh, Herbert;” but Mr. Curten apparently had not mentioned his name.

The Reverend Mr. O’Riordan, unquestionably, makes a strong speech. I do not at all hesitate to say so. He speaks of Mr. Herbert as living away from them, and not taking part in their troubles and so on amongst them. I am about to refer your Lordships to pages 366, 367, and 368. He used, I quite admit, very strong language in condemnation of what he believes or supposes to be the improper conduct of Mr. Herbert.

He then goes on to say:—

“Is therefore Mr. A. Herbert to be allowed to come in here and break up the homes of these poor people, and cast them adrift on the waves of the world? I say he will not. We will not insult him, we will not offer him violence, we will not do him the smallest injury. The man that would go now and offer him insult, or do him the smallest injury, would be the greatest enemy we have. A man said to me that Mr. Arthur Herbert, after what is said of him to-day, will go and get a rick of straw of his burned, or do something else. Now, I say any man who would do that man an injury, you should treat him as your greatest enemy. Leave him to us, and leave that village tyrant to us, and if Mr. Forster does not arrest him—(cheers)—I say speaking seriously from my heart, speaking the sentiments of my heart to you, I say if that man ever comes before them disturbing the peace, for breaking up the homes of the people, I say that man has as good a right to be put in jail as many a man that is in it.”

That form of expression of a man having as good a right to be put in jail is an Irish form of expression which your Lordship may have had before. It is not a right a man is likely to exercise. Then he proceeds:—

“I say to you leave that village tyrant to us, and we will keep an eye to him, and if we possibly can, we will guard you against him if there is any liberty in Ireland. I ask you all to do this; the public in every town and village, and mark you, you are the public; that if Mr. Arthur Herbert comes to — [name not distinctly heard] to serve writs and create disorder to the public, that we will by every lawful means endeavour to make him a remarkable man in the country. (Cheers.) I will also ask you to tell everyone that you meet, that no man must do him the slightest injury, that no man must insult him, that no man should offer him any violence, and that the man that would suggest it, that that man is the friend of Mr. Arthur Herbert, and is an enemy to you, and to your cause. Now ye will all promise me to do that. Will you promise that you will leave him in our hands; we promise you that in that case that if we can, that we will endeavour to stop his course of licentious disorder in this district at all events; and I think it is very likely we will succeed.”

Then on page 369, he appears to have made some general observations about outrage, and then he goes on thus:—

“Let us hear no more of these miserable outrages. They are your shame and your disgrace. Your cause does not want these things. Come out in the open daylight like men. Stand together. Let no landlord or his agent, or friend cajole you or frighten you. Be loyal to one another. Keep firmly and unflinchingly the rules of the Land League to which you all belong. Work on

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“ the lines it lays down for you, and I tell you that no injustice can stand against
“ you. And let no man say that the labourer will not be provided for. The
“ labourer will be provided for, and must be provided for as well as the
“ farmer. And to use the words of one whose name I know is worshipped
“ among you, the champion of peace, and the champion of the people, the great
“ Archbishop of Cashel. (Cheers.) He said, ‘If you work peaceably and firmly
“ ‘ together, every young man to do what is right, you will yet become a happy
“ ‘ and prosperous and contented people.’ ”

It is, my Lords, a strong speech ; but I say, and I must put it with all seriousness and all gravity to your Lordships whether you approve of it or do not approve of it, can it be truly said that that is a speech inciting to murder or outrage. It is impossible to say so ; and I again call attention to the sequence of dates. This speech was made on the 6th June 1881 ; the outrage in question on the 30th March 1882. But, my Lords, what follows this occurrence ? On the 30th March, the day of the murder, or the day after the murder, unquestionably, again the demeanour of the people was bad, I quite agree. There was some reference to it, I think, in the papers, of a denunciatory kind. I do not know that they are very important to be read in this connexion. But, again, I point out that this murder, like the majority of the murders, occurred at a time when many of the local leaders and all the central leaders were in prison, namely, in March 1882, and after the Land League therefore was suppressed.

My Lords, the next case is a very short case, and I may perhaps finish it before your Lordships rise. It occurred on the 8th of June, in the neighbourhood of Castleisland, the case of Cornelius Hickey. There is not very much of the evidence. It begins at page 904. The account of the case given in the evidence is of the faintest and most shadowy kind. There is really no evidence upon the subject. There appears to have been a family quarrel ; but Cornelius Hickey appears to have been on perfectly good terms with his neighbours. The Attorney-General in his opening at page 98, said that the reason of this crime being committed on this person was that he was a land-grabber. I will not say there is no suggestion of it, but I do not find in the evidence anything to justify that statement ; and in connexion with it the same thing occurred which occurred in the last two cases I have mentioned, namely, undoubtedly a want of sympathy was shown with the family of the murdered man ; because when he was afterwards brought into the house of Daniel Hickey there was posted by some person or other a notice practically boycotting or threatening with boycotting Daniel Hickey for receiving this man, who was then wounded. It is bad and condemnable I need not say in the highest degree ; but I do in this connexion remind your Lordships that there appeared in the “ Kerry Sentinel ” on two different days, on the 9th June, and, I think, also on the 7th July, strong condemnations of this murder. I am loath at this point to trouble your Lordships by reading these in detail if unnecessary. Your Lordships will find them at 908. I understand only one of them is a denunciation. There is a passing reference in one and a denunciation in the other.

Adjourned to to-morrow at 10.30.

SPECIAL COMMISSION ACT, 1888.

Russell
5th Day

ROYAL COURTS OF JUSTICE,
PROBATE COURT, No. 1,
Wednesday, 10th April 1889.

(*Sir C. Russell.*) My Lords, I resume the consideration of the cases—of which there are some four or five remaining—of murder in the county of Kerry.

The next case is that of Daniel Leahy, Scarteen, Killarney, who met his death at the hands of the Moonlight party—this is common ground—in his own house, on the 2nd of August 1882. There is no connexion even suggested in the evidence, between the Land League, or any members of the Land League, and this unhappy occurrence. The only cause for this murder suggested, is to be found in the speech of the Attorney-General in his opening at page 99, when he refers to the fact that Leahy was holding an evicted farm, or alleged that he was holding an evicted farm, on the property of Lord Kenmare, but when the evidence is looked at, it will be seen that this fact even does not appear; and that all he appears to have done was to take some grazing upon the estate of Lord Kenmare. I am glad to say in this case, unlike some of the others, unfortunately, that I have mentioned, there was the greatest sympathy shown to the family of this man after his death. His wake and funeral were largely attended, and I read to your Lordships at the time from the “Kerry Sentinel” of the 22nd of August 1882, what, I take leave to say, was not only a strong, earnest, but most touching appeal to the people of the county of Kerry, to exert themselves to save future disgrace to their county. This murder, like most of those that I have hitherto dealt with, occurred in August 1882, after the suppression of the Land League, which had occurred in 1881, and before the foundation of the National League, which took place in October 1882.

The next case, my Lords, is the case of Mr. Brown, of Drumulty, in the neighbourhood of Castleisland, who met his death on the 3rd of October 1882. In this case there was a suggestion made by the Attorney-General in his opening at page 96, to connect this outrage with a speech delivered by the Rev. A. Murphy, at Carrow on the 11th of September 1881. I point out, to begin with, that the speech, even if it had referred to this man, was one, as the dates show, delivered 13 months before the man's death. But, my Lords, that is not all. The Attorney-General was mistaken, because the man alluded to in that speech was called before you as a witness in this inquiry; and therefore was not convicted of this atrocious outrage. Your Lordships will find his evidence at page 1156. Of the facts of this murder, apart from this mistake, no evidence has been laid before Lordships. This also occurred in that period between the suppression of the Land League, and the institution of the National League. There was no quarrel suggested with the League, or with any members of the League, or with those who had been members of the League. There was no boycotting alleged or suggested, and two men, Poff and Barrett were, as your Lordships recollect, hanged for this crime. One of those men was a neighbour of Brown. The other was not known, and was not a neighbour; but neither was shown to have had any connexion with the former League, and the victim of this outrage. Brown was not shown to have been referred to, directly or indirectly, at any meeting. There was an impression undoubtedly widely entertained that these men, Poff and Barrett, were not guilty, although found guilty and hanged; and it appears on the evidence (as your Lordships will find at pages 1176–7), that they left behind them written declarations of their innocence. To that, and to the existence of that general belief in their innocence, the witness who spoke was District Inspector Rice, whose evidence your Lordships will find at page 1174. I only allude to that matter in passing, because it will have to be referred to probably in the course of the evidence of one of the members of Parliament who will be called before your Lordships, I mean Mr. John O'Connor, who, as I understand, desires to give some explanation of

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conduct which is attributed to him. I do not know whether your Lordships recall the circumstances. Of course it is quite a side issue, and does not go to the vital part of the case—the conduct attributed to him on the occasion of certain prisoners being brought to Cork to be tried, and on their way from the railway station to the prison. My Lords, I leave that case. I say there has been no attempt to connect, and no connexion shown.

The next is a very sad case—in fact, the two next cases, with which I practically conclude this sad story—I mean the case of Curtin. Now, I first say as regards this case (and if I am wrong in it I shall be glad to be corrected by my friend) that I do not understand that the murder of this poor man John Curtin has even been classified in the police returns as an agrarian murder. If I am wrong in that, I shall be glad to have correction upon it. I think the circumstances will make it apparent when they are considered, that it was not an agrarian murder in the sense in which these words are understood, namely, that it did not involve any agrarian dispute in relation to land. My Lords, the story is this. John Curtin was a man well known and respected in his neighbourhood. He was vice-president of the National League himself. His sons, one of whom was called before your Lordships, were also members of that League. He had no quarrel of any kind with the League, or with any members of the League. Your Lordships will find the facts gone into in relation to that question of their position at pages 929 and 934. What happened was this. A moonlighting party had on a previous occasion, that is to say previous to November 1885, visited his house, making a raid for arms, and had got a gun from him. They appear afterwards to have learned that he had still some firearms left; and on the 13th November, 1885, presumably the same party, or at least part of the same party—perhaps with others, I know not—but all shown to have been young men, the sons of neighbours, again visited the house. They, I think there can be no doubt, visited the house for a similar object, and what happened was this, that when they appeared and made their demand, John Curtin himself, as deposed by his daughter Lizzie Curtin—your Lordships will find her admission to me on cross-examination at page 928—John Curtin, standing on the stairs of his own house, and looking towards the door, which had then been opened or burst open, fired the first shot at the attacking party, and the effect of that first shot was to kill the lad, for he was no more than a lad, known by the name of Tim Sullivan. Thereupon it was—I need not say I am not defending it, I am not extenuating it, I am explaining it—thereupon it was that the attacking party shot back—with the sad and deplorable result that this man, a perfectly respectable and harmless man, met with his death. That was the true story, my Lords, of the fate of John Curtin. In the examination of Captain Plunkett it was suggested that he had been referred to in a speech made some weeks before by Father O'Connor, of Fieries, on the occasion of a sale of cattle by the sheriff. He was not named, and nothing of a denunciatory character was said. He had at that time paid his rent. His neighbours, many of them, had done the same; and again I repeat, that in view of the circumstances of the case, the authorities have not, as I understand—the inspector-general, I think it is, that is the functionary—in view of all the circumstances of the case, have not classified this, and if the account I have been giving of this is correct, could not classify this as an agrarian crime.

But, my Lords, undoubtedly circumstances followed that murder of a grievously condemnable kind. There is not the least doubt that a want of sympathy was shown by many of his neighbours. What did the prominent members of the League do? Mr. Alfred Webb, a member of the central body in Dublin at that time—probably at this time, I know not, treasurer of the League—went down himself to the neighbourhood to remonstrate with the people. He did more. He wrote a printed circular for distribution in the neighbourhood. Mr. Davitt went down. It was flung with some kind of reproach at Mr. Davitt, that he had not gone to visit the family of the Curtins; he did not know the family of the Curtins. He thought he was serving the object of his visit best by addressing the people from whom this heartless conduct was proceeding, and he used such energy and zeal as he possessed to discountenance them, and to turn them from that want of sympathy. Another member of the League, and a Member of Parliament, Mr. John O'Connor, who knew the Curtins, went down and visited them, expressed his sympathy with them, and did all he could to alter the feelings of the people in regard to the family; and on the Sunday after the murder,

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the Rev. Father Murphy made a speech in strong terms—I do not know whether it was a speech or a sermon—in strong denunciatory terms, not merely of the murder itself, but of the conduct of the people in regard to it. And all the local branch of the League in that neighbourhood, including those at Fieries, at Kilorglin, and at Ballyhard, passed resolutions in the strongest condemnation of it.

My Lords, I come, I am glad to say, to the last of these Kerry cases—in some respects the most serious—I mean the case of James Fitzmaurice, who was shot on the road to Listowel fair when accompanied by his daughter, who was called before your Lordships, and whose evidence will be found at pages 944 and 955. Your Lordships will understand that I am not doing more than explaining the circumstances as they are put before you, of this story. James Fitzmaurice was a co-tenant with his brother Edmund Fitzmaurice on certain lands. They were both tenants. I do not recollect the landlord's name, but tenants under a landlord whose agent was Mr. Samuel Hussey. The statement was that there had been an eviction, designed for the purpose of giving all the land, including the part which belonged and had been held by Edmund Fitzmaurice and his family, to his brother James Fitzmaurice; and James Fitzmaurice appears to have been a consenting party to that course. There were two farmhouses upon the property, and after the eviction James Fitzmaurice alone remained, and Edward Fitzmaurice and his family were thrown out. What happened to them? I refer your Lordships particularly to page 951. They were taken in, Edmund Fitzmaurice, and I think some of his family, were taken in for mere shelter, upon the impulse of a common feeling of charity by a neighbour named Costello. The only alternative they had open to them was the workhouse. And what was the conduct pursued in the case of Costello, whose only offence was that he had given shelter to this homeless man. My Lords, he had, in the difficult times in which he was circumstanced, apparently made an honest effort to pay his rent, but although he had paid a year's rent, and although he was owing only a gale of rent, he was served with legal process at the instance of Mr. Hussey, for no other offence suggested, for no other offence that I am aware of can be suggested, except that he had given shelter to this evicted man. And your Lordships will find that the resolution of the Lixnaw branch of the National League, which condemns James Fitzmaurice for his grabbing, as it is called, and his inhuman conduct to his brother, mentioned that name and his conduct almost, I may say, incidentally, for the main condemnation of the resolution, and its main purposes, are directed to the condemnation of what is supposed to have been—and if the facts be as I have said—the cruel, the harsh, and the unjustifiable conduct of Mr. Hussey.

My Lords, at page 948 your Lordships will find that resolution in full. This is the record from the “Kerry Sentinel” of the 28th October 1887, of the Lixnaw branch of the National League.

“The case of Edmund Costello was then taken up, and evoked considerable interest. The following are the particulars as stated by Mr. Costello:—On the first of October he and others attended Mr. Hussey's office in compliance with notice for payment of rent; he demanded an abatement of 25 per cent., but Mr. Hussey would only give 15 per cent. Mr. Costello declined to pay on these terms, and in the course of an argument which ensued Mr. Hussey said he (that is Mr. Costello, I presume) was the source of great annoyance to him by the way in which he was harbouring and encouraging Edmund Fitzmaurice (an evicted tenant). Fitzmaurice was evicted in May last, and Mr. Fitzmaurice (*sic* Costello) has ever since shared his own roof with him, and given him every assistance in his power. He paid no rent on that day, but in the course of a few days he was served with a writ, and thus put to considerable cost. He is fully convinced that it is in revenge for the kindness he is showing Edmund Fitzmaurice that the writ was served upon him. Fitzmaurice's land had been grabbed by his brother James Fitzmaurice, and Mr. Hussey and James Fitzmaurice are anxious to have him out of the way. Then Mr. Costello was highly applauded for his kindness to Edmund Fitzmaurice, and the following resolution was passed:—‘Resolved, that we hereby record our most indignant protest against the despotic and basely vindictive action of Mr. S. M. Hussey, in serving a writ on Mr. Eugene Costello for one gale of rent, the sole cause for this infamous proceeding being that Mr. Costello has kindly afforded shelter to an evicted tenant, E. Fitzmaurice; and we again

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“ ‘ call upon the public to mark by every constitutional means their disapprobation of the conduct of James Fitzmaurice, who has been so base and inhuman as to grab his brother’s land.’ ”

My Lords, there is the whole story, as it was told at that Land League meeting ; and if those facts be as they are represented, I say it is not remarkable that strong language should have been used. I cannot doubt the people who did use that strong language, although they thought they had justification for using it at the time, must now regret it, because if that language had not caused, it was followed by, a very sad event. It was suggested by the Attorney-General in his opening at page 316, that in this case the alleged murderers were defended by and at the expense of the League. I am instructed that that is not so ; but it is enough for me to say that although the solicitor who was defending them, namely, Mr. Craegh, was in the box, no question pointing to that conclusion was even put to him, and your Lordships will recollect the evidence of a solicitor from a different district altogether, who, as I understand, has stated, and stated correctly the fact—I mean the evidence of Mr. Tighe, also the evidence of Mr. Daley—one or other, or both of those, have stated that in truth the Land League while defending many persons, did not, as far as the experience of one or both of these gentlemen were concerned, and they had frequently acted for them, interfere in any cases of murder at all. Now, my Lords, one word more about this.

(*The President.*) That is not my recollection quite, about his evidence. I understood he had said he defended the murderers, but he did not have any direct communication with them.

(*Sir C. Russell.*) What he did say was—I can refer your Lordships to it in a moment, if it is important—but what he did say was, that he did defend the men, but not at the instance of the Land League. That in all those cases the instructions always came from the members of the family and the neighbours ; that is my impression, but we can easily refer to it later on : and bring it out.

My Lords, two men were hanged for this murder—Hayes and Moriarty. One of them from Tralee, one of them from Glenbeigh. Neither of them shown to be Land Leaguers or National Leaguers. At page 952 your Lordships will find that the witness called for the prosecution spoke to the strong feeling in the neighbourhood about the matter, and of the impression that the murder was the result of this family dispute. And, again, I have to call attention to the fact that in the “Kerry Sentinel” of the 31st January, and in “United Ireland” also, or reprinted from “United Ireland,” I am not sure which, but I think in both, there was a strong condemnation of this atrocious murder.

I would wish to make one comment upon this. If it were true, as it seems upon the whole consideration of this matter to have been, that the conduct pursued towards Costello was based upon the fact or mainly based upon the fact that he gave shelter to an evicted tenant, there was nothing that could have excited more strongly the feeling of the Irish people,

My Lords, there are many sad stories that could be told before your Lordships of the estate rules, which made it something like a capital offence to harbour the family, or any of the members of the family, who had been evicted from a holding on an estate. I can refer your Lordships not to the exciting language of politicians or of so-called agitators, but I can refer your Lordships to the grave and dignified language of one of the most humane judges who ever sat on the Bench—I mean the late Chief Baron Pigott. I thought I had the reference here at the moment, but I can give it to your Lordships. In trying a case in this very county of Kerry, where a woman was charged with manslaughter, he describes a case which recalls the incidents of Costello’s. The woman was charged with manslaughter, and the Chief Baron is stating the facts to the jury. What were they ? A neighbouring family had been evicted of the kinsfolk of the woman in the dock, and of that family a boy of tender years came shelterless to his friend for protection. With the dread of the rule on that estate before her, this woman with fear and trembling, drove the child from her door. When the night came on he returned again to seek shelter. This time she repelled him again, and not with words merely, but with blows, and closed the door upon him. The morning came ; that child was found stark dead lying at the threshold.

My Lords, I will make only one general observation now on the story of these murders. Your Lordships will probably allow me just to break the thread of my observations by

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following the point which your Lordship suggested. I am referring to the evidence of Daley, which I had principally in my mind, at page 2404. "Re-examined by the Attorney-General"—referring to some persons whom he defended, he was asked—

"You defended them all?—Yes. (*The President.*) You gave an answer which I took down in these terms: I did not communicate with the Land League in murder cases; did you say that?—Yes, I did not communicate with the Land League in murder cases. (*Q.*)"—From your Lordship, I presume—"I wanted to know the meaning of that?—(*A.*) The meaning of that is this: I received no direct instructions through any person at the head of the Land League in murder cases. I do not believe they knew anything about those murder cases. I believe that they were the outburst of other land agitation. I do not believe any head of the Land League knew anything about those murder cases in the West of Ireland. (*The Attorney-General.*) I want just to understand. Perhaps my Lord will put the question. To whom did you send the bills in those murder cases?—(*A.*) I sent them to the Land League office. I received general instructions to defend all classes of cases, and acting on those instructions, whether those cases came under this particular head or not, I defended all the cases."

(*The President.*) That is what I had in my mind.

(*Sir C. Russell.*) There are only two sentences more:—

"(*Mr. Justice A. L. Smith.*) From whom did you receive the instructions?—(*A.*) Generally from some of the local members of the League. (*Q.*) Did you receive instructions to defend the murders from local members of the League?—(*A.*) The people themselves invariably came, or their friends came to me from prison, and sent to me or wrote to me. I could not swear. I am not aware that any of the local members of the Land League were associated with murder." [I think that should be "with murder cases," I am not sure.] (*The President.*) That is not quite the point. I understand you did not communicate, and had no communication, with the League on the subject of murder cases?—(*A.*) None, my Lord. I took them up as I had taken up the other cases. I took them up on the general instructions I received."

Now, my Lords, I would first remind your Lordships, that although this distressing story cannot but make an impression on one's mind, that you have in its consideration gathered into a definite point, and into a definite and continuous narration, serious crime extending over four counties, and over a period of 10 years.

I have already, in the history of this case, endeavoured to make good the proposition that after recurrent distress you had recurrent crime; and I think I have made good that proposition by showing that at former periods, when there was no organisation, general or local, that there had been an excess of crime, in greater volume and much more serious, than during the period which your Lordships are engaged in considering.

I doubt if any 10 years, a period of distress or embracing years of distress to the same extent, could be selected in the whole history of crime which presents, on the whole, as regards serious crime, a less formidable catalogue than this.

Your Lordships cannot fail to have observed that the most serious crimes in their character, the greatest in their number, and the most regrettable in the circumstances attending upon them—I mean in relation to the attitude of the people—are connected with or have taken place in and about this district of Loughrea and Woodford, and amongst other causes in relation to the Gweedore cases.

My Lords, there were special circumstances of aggravation and excitement existing there. I will not use my own language to describe it. I will use the language of another chief baron, Chief Baron Pallas, and I will cite the language from the "Times" newspaper of the 8th of December 1887. He says:—

"What would have been the result of granting a reasonable reduction? It would have avoided eviction from their little homes; it would have avoided the unfortunate and painful prosecution of these unhappy tenants. He was not sure, having regard to the circumstances disclosed in the hearing of this case, that Lord Clanricarde was in the habit of looking at the affairs of mankind as other people did. It appeared to him that Lord Clanricarde took a more

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“ exaggerated view of his own rights than other people, and perhaps took a more
 “ erroneous view than others did of the moral though not legal duty arising
 “ between himself and his tenants. What did happen upon this estate? There
 “ had occurred that which had aroused the indignation of the empire, or a great
 “ deal of it.”

And I ask your Lordship's attention to this :—

“ It was such that the Chief Secretary had intervened, and gone so far as to
 “ refuse the forces of the Crown, the forces of the law, when by law he was
 “ bound to supply those forces in order to carry out the behests of Lord Clanri-
 “ carde. The responsible officer of the Crown had refused the forces of the Crown
 “ unless Lord Clanricarde, who had refused the supplications of the tenants, and of
 “ their pastors, consented to give an abatement such as other landlords gave.”

My Lords, could there be a graver statement than that? As Chief Baron Pallas truly states, an executive officer is bound to render the assistance of the executive authority to carry out the civil decree of the land. If he fails to do so, he exposes himself to the risk of impeachment by Parliament, and it is only the most grave necessity and gravest case which could justify the withholding of those powers; but they were withheld.

My Lords, I now pass to the consideration of the evidence so far as it is supposed to relate or to point to any members of Parliament. I have to draw your Lordships' attention—I do not know whether it will strike your Lordships as it strikes me and strikes my friends—to a very remarkable state of things. In the schedule given by the prosecution there are altogether the names of 65 members of Parliament and of four other persons—I think, in fact, five—but four or five other persons, not members of Parliament. My Lords, I will read the names of 28 of these. I might read a great many more, and I will ask your Lordships, have you any impression on your minds at this moment of a particle of evidence against any one of them? I might extend the list :—

Mr. J. R. Cox.
 Mr. Jeremiah Jordan.
 Mr. J. E. O'Doherty.
 Mr. Michael McCartan.
 Mr. J. J. Clancy.
 Mr. Henry Campbell (except the letters).
 Mr. John Stack.
 Mr. Denis Kilbride.
 Mr. James Leahy.
 Mr. Patrick C. Chance.
 Mr. Thomas Quinn.
 Dr. J. F. Fox.
 Mr. Michael Conway.
 Mr. L. P. Hayden.
 Mr. F. A. O'Keefe.
 Mr. Justin McCarthy.
 Mr. Joseph Nolan.
 Mr. Thomas P. Gill.
 Mr. Daniel Crilly.
 Mr. James F. O'Brien.
 Mr. Richard Lalor.
 Mr. Andrew Commings.
 Mr. Edmund Leamy.
 Mr. Matthew J. Kenney.
 Mr. Patrick J. Power.
 Mr. James Tuite.
 Mr. Daniel Sullivan.
 Mr. Garrett M. Byrne.

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My Lords, is there in your Lordships' minds at this present moment a particle of evidence against any one of those whom I have mentioned? Not a particle. My Lords, I might, as I have said, amplify the list. I have not included in this first list, of the number of 28 or 29, the names I am about to give in this list, because it may be suggested that their names have been mentioned in the course of the evidence. With regard to Mr. William Abraham. Does your Lordship recollect the evidence of of the man Coffey? Well, my Lords, it is very difficult to recall. He was one of the the tribe of supposed informers. But when he came into the box——

(*The President.*) I remember Coffey well enough. I do not remember Abraham.

(*Sir C. Russell.*) No, my Lord; I was not here myself, but he was supposed, in some statement he gave to some representative of the "Times," to have made some most grievous statements respecting Mr. William Abraham, whom your Lordships will see before you, and whom I have the pleasure of knowing pretty well, and Mr. Finncane, a suggestion of the most atrocious kind, which when he came into the box he did not venture to support. Your Lordships committed him to prison, as I understand, for the improper way in which he comported himself in this court.

Mr. I. J. Condon.

Mr. John Dillon.

Mr. John Deasy.

Sir Thomas Esmonde.

Mr. John Finncane.

Mr. P. J. Foley.

Mr. J. C. Flynn.

Mr. Gilhooly.

Mr. T. M. Healy.

Mr. Edward Harrington.

Mr. J. Hooper.

Mr. Maurice Healy.

Mr. J. E. Kenny.

Mr. W. J. Lane.

Mr. Thomas Mayne.

Mr. William O'Brien.

Mr. O'Hea.

Mr. William Redmond (excepting the distribution of the No Rent Manifesto).

Mr. John Redmond.

Mr. D. Sheehy.

Mr. Thomas Sexton.

My Lords, if this were an ordinary case I could treat with the most utter contempt the suggestion made, and boldly asked your Lordships whether there was as against anyone of those men I have mentioned two-thirds at least of the whole number scheduled, whether there was against any of these men any evidence worthy of the name. I would wish to qualify, because I desire to be literally accurate, this. I am reminded properly that in the case of Mr. Condon, although this is away from any vital question in the case, or from any of the charges or allegations in these libels, that Mr. Condon is supposed to have made a most wicked statement, namely, that on the occasion of some person going to his place of business, Mitchell, I think, that he said to Mitchell had he been there, instead of getting what he desired to purchase he would have got the knife. He will appear before your Lordships. In that particular I need not point out, though it was a most atrocious thing to be said, it is not in the charges and allegations which your Lordships are here inquiring into. Your Lordships have practically nothing to do with it.

One more observation of a more or less general kind I should like to make. A good part of the case, such as it is, presented by the prosecution has consisted in the reading of a great number of speeches, some good, some bad, some indifferent, some really condemnable, but I am glad to say the number in this latter category is small, and, with few exceptions, none of them marked by a very high degree of wisdom in their utterance; but against 30 Members of Parliament, including some that I have mentioned to your Lordships, and I will not trouble to reiterate the names, there has been no

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speech at all put in, and I shall examine a little later any speech to which any serious importance whatever is attached ; but I make this broad statement that, so far as the Members of Parliament are concerned, I cannot recall any speech attributed to any of them which any man judicially inclined, or trying even judiciously to apply his mind to the consideration of the question, could say from the beginning to the end was a direct incitement to outrage or murder of any kind. There are some speeches particularly bad and reprehensible. I mean the speeches of such a man as Scrag Nally—about whom your Lordships will hear something—who has been made a hero of by the Attorney-General, whose fame has spread far and wide because of the prominence given to him in this case. Your Lordships will hear his true position, and the way in which he is regarded, from several witnesses. I think your Lordships will have already gathered the impression that this person was regarded as a joke, but, I must say, a very ugly kind of joke.

Speeches of one other man have been referred to, a man called Tully, who seems to have made undoubtedly speeches capable of grievous misconstruction and of evil meaning, but a man whom, as far as I know, is not shown to have done any act or to have associated in any act with anything that is reprehensible besides these foolish and really condemnatory speeches.

My Lords, one other general observation I will make. The "Times" have put in, speaking in round numbers, but I think I am approximately accurate, 440 speeches. Enough in all conscience ! But this is remarkable, that from October 1881, the date of the suppression of the Land League, down to the end of 1882, the formation of the National League, the period worst in crime and outrage as I have already demonstrated, they have put in two speeches, and two speeches only, over that whole period, and neither of them is a speech of a Member of Parliament at all. I beg your Lordships' pardon, one is a speech of a Member of Parliament. Those two speeches are the speeches of the Rev. Mr. Higgins at Shanaughlish, county Galway, on the 12th of March 1882, and the other is the speech of Mr. William Redmond at Ennis, county Clare, on the 12th November 1882. So that while a great part of the stress of the case urged by the Attorney-General has been on the evil effect produced by these exciting speeches, over the period which was marked by the greatest crime and outrage, two and only two have been relied upon.

I do not recall either of them ; I do not know whether they were at all important. Now, my Lords, I come to the consideration of the evidence, and I think it will be convenient to take the evidence against four or five persons who are not before your Lordships' Court, but who are included in the list scheduled, and those persons are Sheridan, Byrne, Boyton, Brennan, and Egan ; and I will take them in that order.

Your Lordships will, of course, understand that in addition to the members of Parliament, there is in addition to these names I have mentioned, Mr. Michael Davitt, who is appearing here and representing himself.

I will first of all take P. J. Sheridan. P. J. Sheridan, my Lords, I must deal with, and am proposing to deal with, upon the evidence as it is at present before your Lordships, which is the course I have in the main pursued all through. I am not admitting the reliability of that evidence, in part, but for the purposes of my examination of it, of course I have accepted it, and am seeing what it proves. Sheridan is shown to have been, and I have no doubt correctly shown to have been, a fenian. He is shown to have been, and again no doubt correctly shown to have been, a Land League organiser in the West ; but I wish to make it clear to your Lordships that no Land League organisers were at all appointed until October 1880. It might be earlier than October, but the autumn of 1880, after, at all events, I believe, the rejection of the Compensation for Disturbance Bill.

If your Lordships will refer—I must do it hereafter—I will not yet turn to it, neither shall I read it, because it will be necessary when I have examined the whole of the evidence, and when I come to contrast the statements of the Attorney-General, which he was instructed to make in opening, with the slight shreds and scraps of evidence which have been forthcoming in support of these allegations ; but at page 55, the Attorney-General broadly states that Sheridan was employed to organise, and organised, outrages in the west of Ireland.

My Lords, I ask to be pointed to one single item or atom of evidence to justify that statement. I say there is none, and it is not because afterwards Sheridan may

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have been mixed up in these atrocious Invincible conspiracies, and it is not because the grand jury of the county or the city of Dublin have found a true bill against him; it is not for those reasons that the lurid light of those subsequent events is to be thrown back upon, and give a complexion to his conduct which the actual evidence and facts do not justify.

My Lords, the evidence is suggested against Sheridan thus. The Attorney-General was instructed to open that he would establish beyond doubt that Mr. Parnell knew at the time of the Kilmainham treaty, as it has been called, that Sheridan had been organising outrages in the West, and as he had been employed to organise and get up outrages in the West, so he could be employed to put down outrages in the West. The Attorney-General must have made that statement on the supposition that Captain O'Shea was not going to prove something he did prove. I dealt with that matter yesterday. I read a contemporaneous letter and a contemporaneous speech of Captain O'Shea upon that point, and I pointed out also that there was nothing in the evidence that he swore before your Lordships that in any substantial degree different from those contemporaneous statements.

My Lords, what is the further evidence against Sheridan. The further evidence against Sheridan is the evidence of a constable of the Royal Irish Constabulary at page 3404, that Sheridan in the neighbourhood in which he lived used to frequent the forge of a blacksmith of the name of Bartley, and that after he had been in the habit of paying visits to this Bartley there were found in that forge, which was searched in 1880, certain bayonets and rifles, and other things of that kind. My Lords, is this evidence sufficient to hang a dog upon? I do not stop to discuss it. I do not know whether it is proved, but I am informed that Bartley himself was or had been a policeman.

What is the next evidence? The next evidence is that of a man called Loftus, who at page 3397 states that in February of 1882 (I ask your Lordships to note the time), when Mr. Forster's Act was in force, and when men were being arrested, and had been arrested to the number of 1,000 suspects, Sheridan came to the house of Loftus disguised as a priest. What of that? He undoubtedly desired not to be arrested as a suspect, but as Loftus told us—the very witness called by the prosecution—he came in order to see his wife, or to see to a dispute about some family property. But there is not a tittle of evidence from beginning to end of this case—I shall be glad on the instant to be corrected if I am wrong—to show, until I come to the man Delaney in relation to the Invincible conspiracy, that Sheridan had anything to do with any outrage in the west of Ireland, or any other part of Ireland, from the beginning to the end of this story.

My Lords, the statement about his being in Ireland in February 1882, disguised as a priest, came first, as he will tell you, to the knowledge of Mr. Parnell, when it was stated by Mr. Forster in the House of Commons in the month of February 1883, and not until then.

Lastly, we have the story of Delaney, who broadly makes the statement that Egan, Sheridan, and Brennan were leaders in the Invincible conspiracy. I have great curiosity about the proof of that man Delaney, and about the persons who took it, or the person who took it. I should be curious to see it for several reasons. That man was examined by the Attorney-General, and in answer to questions put to him, he spoke of a number of facts, as if they had been facts within his own knowledge, and as if his proof justified its being assumed that he had given the information as of facts within his own knowledge. Upon his cross-examination (as I shall demonstrate more fully when I come to consider the evidence against Egan) his whole evidence, so far as these men were concerned, crumbled to pieces, for he was obliged to admit that although he had made this broad statement in answer to a question, he had never seen any one of those persons, either Egan or Sheridan, at any meeting of the Invincibles whatever. Your Lordships will see that at page 1887.

My Lords, I am not counsel for Sheridan; he is an absent man not under your Lordships' jurisdiction, and not affected by any view your Lordships may take. But, I think it right and fair to point out two things, and with that I leave Sheridan. First, that apart from Delaney's evidence, there is not a tittle of proof that Sheridan was party to the organisation of any crime or of any outrage in any part of Ireland; and next that the evidence of Delaney, as regards the part which Sheridan is alleged to have

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played in the Invincible conspiracy, is tainted evidence, and on cross-examination, shown to be unreliable evidence.

My Lords, the next name I stated I should examine was Byrne. I shall have to speak of Byrne a little more fully in relation to the allegation, the direct allegation, the personal allegation made against Mr. Parnell, which amounts to this, that, knowing that Byrne was a criminal guilty of a most atrocious crime, Mr. Parnell by an opportune payment, helped him to fly from justice. For the present moment I will content myself by saying as regards Byrne, that he had nothing to do with the Irish Land League or organisation, or National League organisation whatever. I am speaking, of course, of Ireland, your Lordship understands, at this moment. He had nothing to do with the Land League organisation, or with the National League organisation in Ireland whatever. He had to do with the English branch of both of those organisations. He had been secretary to the Home Rule organisation in the time of the late Mr. Isaac Butt; and he came as a legacy from that gentleman, not appointed by Mr. Parnell or anybody associated with Mr. Parnell. Mr. Parnell's association with him and knowledge of him was, as your Lordships will hear when he is called into the box, of the slightest kind. But I say as regards Byrne there is no evidence against him except the evidence of statements attributed to him which he is supposed to have made upon the other side of the Atlantic, and the evidence of the man Mulqueeny as to the possession of the knives, and the evidence of Delaney, who speaks to his having been with Sheridan and Egan, parties to the Invincible conspiracy. But, again, as to him, Delaney, when pressed, said that the only occasion on which he saw Byrne (I think I am right in this) in connexion with the Invincibles was on some occasion at the house of one of the Mulletts, when he alleged money had been paid which he did not see paid by Byrne, but he said he saw money on the table after Byrne had been there or after Byrne had left. But my present purpose is not conversant with the question of the Invincible conspiracy, but with the question whether there is any general evidence against Byrne in relation to any other crime or outrage beyond the fact that he was in England, the secretary of the League, and in that character had to do with the appointment of organisers for the League, and beyond the fact that amongst those organisers whom he probably (I do not know whether the fact is so or not) appointed was one whose conduct was of a most reprehensible kind—I mean Walsh, of Middlesboro'—there is not, so far as I am aware, any evidence against Byrne whatever.

Now, my Lords, the next is Boyton, and in relation to him the Attorney-General was instructed to make an equally sweeping and strong statement, namely, that as Sheridan had been organising outrages in the west, so Boyton was pursuing the same nefarious schemes in Leinster in the east. But from the beginning to the end of the evidence (I say it with literal accuracy) there is no shadow of evidence that I am aware of, or that my learned friends have been able to call my attention to, showing that in Leinster or in any other part of Ireland Boyton was in any way associated with any outrage or with any crime; and even the witness Beach, or Le Caron, who appears to have visited Boyton in Kilmainham, has not—I will not say invented, but even he has not stated any incriminatory conversation with Boyton. Boyton appears to have claimed to be an American citizen, and appears to have asked (according to Le Caron, at page 2502, the aid of Le Caron to assist him in getting his citizenship of the United States recognised, and to have added (an observation not without a certain amount of significance) the expression of his regret that the boys, as he called them (and, as your Lordships will recollect, Captain O'Shea also called the Fenians), were opposing the open movement. This conversation was in May of 1881. I am reminded there was one statement relating to Boyton, of the man Delaney, who never having seen Boyton before or afterwards, stated that on some occasion, to which he referred, Boyton had pointed out a Mr. Burke, not the Under-Secretary Mr. Burke, who was afterwards unhappily murdered, but Mr. Burke, who was chairman of the Prisons Board. That statement of Delaney's, if it is material, is entirely without corroboration.

The next in the order is Brennan. Again here I have to correct a statement of the Attorney-General's. He stated in *O'Donnell v. Walter* (I am not sure that he repeated the mistake when opening the case before your Lordships) that a true bill had been found against Brennan in connexion with the Phoenix Park murders. That

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is not so. Mr. Tottrell, the clerk of the Crown, produced the record, and that is found not to be the case. Brennan is stated by Delaney, and alone by Delaney, to have been concerned in the Invincible conspiracy. But, again, when he comes to be cross-examined, as your Lordships will find at page 1887, it is entirely hearsay, and he is obliged to admit that he never saw Brennan at any meeting or in connexion with any party of the Invincibles. In relation to Brennan, there is the story told by Le Caron of the conversation which he alleges he had with Egan in which Egan, said that Brennan had told him what Sexton had done upon the occasion of his (Brennan's) leaving the country, and which Le Caron at fourth hand deposed to before your Lordships. I have already intimated that Mr. Sexton will be called before your Lordships and will deal with that matter. Let me remind your Lordships (for it is most important to be borne in mind in this connexion, remembering the history of the rise of this Invincible conspiracy as having been in October of 1881) that Brennan, who is stated by this informer, Delaney, to have been one of the Invincibles, was in prison from May of 1881 (therefore months before the conspiracy began) until June of 1882, after the conspiracy had ripened into the atrocious murder in the Phoenix Park. It shows, my Lords, how unsafe men's characters, liberties, and lives would be if they were to be at the mercy of men like Delaney.

The remaining one of those five with whom I am dealing is Mr. Patrick Egan. I wish to say something about Mr. Patrick Egan at rather greater length than about the others. Mr. Patrick Egan was a Dublin tradesman of recognised position and of great respectability. The men who knew him best, the men who were associated with him longest, will not be afraid to come before your Lordships and express openly the opinion that they entertained and still entertain of Mr. Patrick Egan. He was a man who had undoubtedly been a fenian, but he was a man who was thrown off, or who separated himself from the Fenian body, and was one of the original members, I think, of the party formed by Mr. Butt in 1870, or soon after 1870, on the basis of the demand for Home Rule. He continued throughout with Mr. Butt in that matter, and when the National League was formed he threw himself into it with earnestness and with energy. For what was called by his former associates amongst the Fenian body, his abandonment of their cause, he was roundly abused and denounced by them. I think Le Caron spoke of his being abused amongst others by one of the former heads of the Fenian movement, a man, I believe, of high personal character and of considerable attainments, Mr. John O'Leary, who is still living, and who is still in Ireland. What is the evidence against him? First of all, there is the man Farragher, who was a clerk at one time in the Land League Offices. Your Lordships will find the principal part of his evidence from pages 2022 to 2061. Your Lordships will also find an important part of his evidence on cross-examination at page 2851, upon the occasion of his being re-called. His statement is that Egan was a friend of Mullet's; that he carried letters from Egan to Mullet containing money; and he goes on to say that Egan was frequently at the offices of the Land League through 1881 and up to October 1881. He is singularly vague as to the dates upon which these curious transactions took place. Although frequently pressed he constantly refused to give anything like definite evidence of any kind as to dates; and his evidence, taking it at the best or at the worst, amounts to nothing more than this—that he showed that Egan was in communication with Mullet, principally at a time long anterior to any suggestion of an invincible conspiracy at all.

But, my Lords, his evidence will be shown to be unreliable upon this broad ground. When there had been some arrests made, amongst others the arrest of Mr. Michael Davitt in February of 1881, it was apprehended that there would be an attempt to seize the books and so forth of the Land League, and so break up the organisation; and in that month of February 1881 Egan went to live in Paris, and remained in Paris practically to August 1882. I have said before (and I repeat it now) that I do not aver and do not suggest that he did not visit Dublin on one or two occasions or that he may not have visited Dublin on one or two occasions; but that it is wholly wrong to suggest, as Farragher suggested, that he saw or could have seen Egan frequently at the Land League offices during the time to which Farragher's evidence applies.

Then comes the evidence of the man Delaney, who, beginning by stating that Egan was one of the heads of the Invincibles, on cross-examination is obliged to admit that his statements were mere hearsay, and that he had never seen Egan at an Invincible

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meeting; in fact, he went further and said this, on page 1887: "Then it comes to this, " that except seeing him, as you believe, at the meeting of the 30th April 1880, you " did not see him during 1880, I mean to speak to him or have any communication with him through 1880 or 1881, or 1882?—(A.) No." Therein he distinctly contradicts the statement that he had previously made. The meeting of the 30th of April was the meeting at the Rotunda at which, as your Lordships will recollect, the opposition of O'Hanlow and others of the Fenians took place.

Then comes the evidence of Le Caron, which I will refer to later when I come to consider the American branch of the case. And here again I have to correct a very serious mis-statement made against Mr. Egan. It was opened by the Attorney-General, that against him also was found a true bill in relation to the Phoenix Park murders. Your Lordships' will find that statement at p. 83 in the Attorney-General's speech in *O'Donnell v. Walter*, for which there is no foundation whatever, as the evidence of Mr. Fottrell (which I think your Lordships will find at p. 3353) establishes, or which the documents he put in establish. I have already pointed out that whether there was a warrant against him or not applied for, intended to imprison him as a suspect under Mr. Forster's Act, there is no proof even of that. Mr. Egan, as your Lordships will hear, had long before he went to America intended to go to America. His business had been completely broken up, because not only had his partner Mr. Rourke been taken as a suspect, but he himself had been for a great part of two years at least in Paris, and he had, as your Lordships will hear, long before the question of the discovery of the actual Phoenix Park murderers, resolved to go to America.

I will only make this passing observation, that Mr. LeCaron's statement as to Mr. Egan's supposed connexion in America does not seem to have been credited in that great community because, as your Lordships, I suppose, have seen in the papers, the *Americau Republic* have accredited Mr. Egan, as their representative to Chili. Well, it will be suggested or may be suggested—probably truly suggested—that politics and political influence had to do with that. I do not doubt it the least in the world; but politics have nothing to do with like or even with more important positions in this country.

So I dismiss the evidence relating to Egan, making this one general comment—that apart from these stories of Delaney and of Farragher, which I have I think, proved to be unreliable; beyond the fact which he admits, and which his friends admit, that he was active and zealous in support of the Land League and of the National League; I say there is not one tittle of evidence of his being party in any shape or form to crime or outrage of any kind.

Your Lordships will of course understand that I am considering this part of the case, apart wholly from the question of the letters; for it will be demonstrable upon the whole consideration of the case, that if it had not been for the wrong foundation of these letters, there would not have been, there could not have been these charges advanced against Mr. Egan, or against Mr. Parnell and others in connexion with this case.

Now, my Lords, I will refer next in the order which I have laid down for myself, to the evidence against the members, making one passing comment upon the case as regards Mr. Michael Davitt. As regards Mr. Parnell, I will reserve my general consideration of his case, until I come to the case which more directly applies to him.

Of Mr. Davitt, I will only say this—he will be able to speak for himself; that what he has done, he openly avows he has done, and he is prepared to take the risk of what he has said. What he has said has consisted of plain straightforward manly work in a cause which he believed to be a righteous and a just cause; and I say in the conduct that he has pursued, he has shown enormous moral courage. For he has separated himself—a difficult thing I conceive it to be—from former associates bound to him, and he to them by secret oaths. He has incurred in great part their personal hostility. He has incurred risk of his life, as your Lordships will hear; and he has had the bravery to meet them in the camps of the *Clan-na-gael* on I think one or two occasions, and to try and win them into the straight and open path of constitutional agitation.

My Lords, the first as I find in the order before me is the case of Mr. J. G. O'Kelly. Mr. J. G. O'Kelly was unquestionably a Fenian, and unquestionably high up in the ranks of that body. He has led an adventurous life, which he will tell your Lordships, in all probability, in the box. It is perfectly true that his position was one in relation to the

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military organisation part of the Fenian movement, that he was connected with that, as Le Caron has said, up to the year 1878 or 1879: I forget which. That he had a mission to perform in that regard as late as 1878 or 1879. He will tell you how he separated himself from the movement, and that how, from and after the time of his joining the open movement, he has had no part, direct or indirect, with his former associates, or with their former methods or plans. Against him, apart from the suggestions of Le Caron, who I think never met him until he met him, as well as I recollect, in May 1881, there is not one tittle of evidence against Mr. O'Kelly at all. An attempt has been made—I was not here when it was made—an attempt was made to connect with him, as I understand, some fund in some banking account; and with some draft or payment with that account or both. As far as that is an attempt, it has entirely failed, and I am informed it must fail, for there is no foundation whatever for it, and Mr. O'Kelly will come before your Lordships and answer fully as to his own acts before he joined the Parnell party, and will answer fully for his own acts and for the acts of any of his colleagues after he joined the open party.

The next case is Mr. Edward Harrington. I have not excluded him from those against whom there was no evidence, although I might well, for there is literally none. What is the evidence against him? My Lords, I present to you such scraps or fragments—I can do no more—as the evidence in the case discloses. Mr. Maurice Leonard, at page 565, spoke to Mr. Edward Harrington being present at the erection of an eviction hut. John Donohoe, at page 1755, speaks of Mr. Edward Harrington—I am not sure whether correctly or not, but I do not stop to consider that—of having paid for the dieting or support of certain prisoners in Tralee Gaol, who were there as “suspects,” and having said that, I have said all that is to be said against Mr. Harrington; but I suspect, like Mr. O'Brien and like Mr. T. D. Sullivan, one the editor of “United Ireland,” and the other the editor and printer of the “Nation”—they have been joined for the purpose of the easier admission of all that has appeared in the columns of those papers respectively. So far as the contents of the “Kerry Sentinel” are concerned—so far as I have seen them, I do not speak of what I have not seen—but, so far as my attention has been called to them, I do not know that there is anything in them for which Mr. Edward Harrington may be in the least degree ashamed. I know there have been read from his columns several articles which may be pointed to by him with perfect satisfaction, and which reflects credit upon him, if he were the writer.

The next in order is Mr. John Dillon. My Lords, I must greatly regret that Mr. John Dillon, owing to his state of health, will not be able to appear before your Lordships and be seen and examined before you. I am not going to take the opportunity in his absence of pronouncing any laudation upon him; but whatever anybody may think of the wisdom or discretion of any parts of his public conduct, or of any parts of the speeches to which he has given utterance, I am not aware that anyone—even those most hostilely opposed to him, who have doubted the perfect integrity of his purpose, the perfect disinterestedness of his motives. What the evidence against him is I at present know not.

The next case is Thomas Mayne.

(*The President.*) I did not catch the name.

(*Sir C. Russell.*) Mayne: I am not surprised the name should not be recognised by your Lordships. There is certainly an enormous mass of evidence accumulating. The evidence against him is to be found in that of Captain Slack at page 2336; that on the 20th April, 1885, at Drangan (I think it was), in Tipperary, he made a speech in general denunciation of land grabbing; and then one of the incidents which Captain Slack mentions—if I may be allowed to use the expression—he was given, in cross-examination, his head. I mean he was allowed to speak in the fullest way, anything he could—mentions, as one of his justifications, for connecting the action of the members of the League with outrage, that this general speech, which was in no way pointed against any particular person, was in Captain Slack's mind and connected with the case of boycotting of a man named Mitchell—a man your Lordships may recollect, who was called very near the end of the case—very near the end of the witnesses—a man who was unquestionably severely boocotted. I do not extenuate it or deny it, but he had played the part as it is called, of the emergency man, for the Property Defence Association, or the Loyal Patriotic Union, or some landlord combination of that kind—Mitchell's was the case, which

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your Lordships may recollect, in which answering to a letter of a district inspector or constable, (I forget which), Mitchell came down from Dublin, and went round the town—I forget the name of the town, Drangan, I think it was, calling at various places in order to show that he was in fact boycotted and could not get the provisions which he was supposed to want.

The next member is Mr. P. J. Foley. I am not sure your Lordships will be able to recall what the evidence against him is. You will recollect a constant reference to the case of one Walsh, of Middlesboro', and to another Walsh—for they are not to be confounded—to another Walsh, who was Arms' agent, and convicted for having arms for the purpose of forwarding them for the Fenian body years ago, and he was sentenced. And whenever there seemed to be some difficulty in proceeding easily with the evidence, my learned friend (and I think particularly Mr. Murphy, who seemed to have charge of the Walshes) used to recur from time to time to this case, and if he had one reference to it, I should think I could point out over the volumes of evidence—at least one dozen—But Mr. Foley's offence was this. Mr. Foley, in the month of September 1882, drew a cheque for 100*l.* in favour of Mr. Frank Byrne, and I would ask your Lordships to note the date, September 1882, he sent on the notes given at the Bank in exchange for that cheque, and presumably to Byrne, the Secretary in England, and the note found its way into the hands, and was traced to the hands of John Walsh, of Middlesboro', who unquestionably was a Land League organiser in England, and was employed by Byrne. My Lords, it needs some little ingenuity to see the connexion of all these transactions, but I will endeavour to explain it.

(*The President*). There have been considerable confessions of these Walshes. Was not that the Walsh who was convicted?

(*Sir C. Russell*.) No, my Lords: that was Thomas Walsh this was John Walsh, of Middlesboro', who undoubtedly at that time, and may have been until very recent times, as far as I know, a Fenian. He was appointed apparently, at the instance of Byrne, the Secretary in England, one of the organisers of the Land League, in this country in England. And, my Lords, the story therefore is shortly this—it has been already explained, in another connexion, namely, that the funds, which the English branch of the organisation had, came from two sources; first of all, they came from such small contributions as were received in England, and came into the hands of Byrne—the small cheques; and when these funds were insufficient, they were supplemented, by grants from the Dublin branch, which was the one which had control of considerable funds. My Lords, the story is shortly this, that Byrne had on previous occasions, having no banking account, the branch here having no account, when he had a number of these cheques, used to come to Mr. Foley or to Mr. Justin McCarthy, as your Lordships will hear from Mr. Justin McCarthy, and ask to have a check, which they could cash, exchanged for these small checks. That was the case in this instance, and Byrne having got it, proceeded to distribute it according to the purpose for which it was given, at least presumably so—and amongst others paid the organisers amongst the branches in this country. That is the whole of the story as I understand it.

Now, I come to a group of the members (for I will endeavour to group them, so as get over them), Mr. Martin Healy, solicitor, of Cork; Mr. J. W. Lane, Mr. J. Deasy, Mr. Patrick O'Hea, and Mr. Gilhooly. Who are these men? It is childish to have to dwell for a moment on such cases as these. Peter Fawcett, of the Royal Irish Constabulary, came here at considerable expense to the "Times," and the loss of his valuable services in the preservation of peace in Ireland. How long he was here I know not, but your Lordships will find his evidence at page 2116. What is the evidence? That on one occasion he saw these men in company with Scanlan, whom he, Peter Fawcett, of the Royal Irish Constabulary, believed to be a member of the Irish Republican Brotherhood; and he was afterwards arrested, he, Thomas Scanlan, for firing at a man called Flynn in Duncan Street, Cork. My Lords, there is the indictment against these five Members of Parliament.

There is one additional item against Mr. Gilhooly, and that consists of what was suggested to be a threatening letter, or if not suggested in that sense I know not for what purpose used—that he, Mr. Gilhooly, had written to one Mr. Robert White from the Bantry League with reference to an eviction which had there taken place. Your Lordships will find his letter at page 2831. A district inspector Kennedy attended

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this Court, and enjoyed himself in London, how long I know not, to give this valuable piece of evidence to your Lordships. Here is the letter on page 2832:—

“Bantry Land League, Bantry. Robert H. C. White, Esq., J.P.—Dear Sir,—At the Meeting of the above League held to-day I have been requested to write to you and respectfully request that you will reinstate Samuel Reardon of Armatroth in the holding from which he has been evicted by you, for the non-payment of an exorbitant rent.—I remain, your obedient servant, James Gilhooly.”

There is the head and front of James Gilhooly's offence.

The next Member of Parliament is Mr. J. E. Kenny, and the evidence in relation to him is that of F. O. Keefe; your Lordships will find it at page 2273. He was at a bank, and he proves the payment of the cheque by T. Horan, secretary of the Castle Island branch of the Land League.

Now, my Lords, this incident I do not treat in the same light fashion at all. I consider it the only fact, the sole fact in the case which in any way connects the central branch or any members of the central branch of the Land League in Dublin, with any complicity, direct or indirect, with crime, or with any payment or supposed payment in connexion with crime. When I have stated that to your Lordships, you need not suppose I am going to palliate it, or to mitigate it, but I must make some observations upon it. First, the time is important. On 11th September, Horan, who is unhappily dead and cannot be before your Lordships, writes a letter which is set out at page 1113 in which he says:—

“Sir, I beg to draw your attention to a matter of a private character, which I attempted to explain to you when I was in Dublin at the Convention. The fact is that one of the men, from a shock, lost the use of his eye. It cost him 4*l.* to go to Cork for medical attendance. Another man received a wound in the thigh and was laid up for a month. No one knows the persons, but the doctor and myself and the members of that society. I may inform you that the said parties cannot afford to suffer. If it were a public affair a subscription list would be opened at once for them as they proved to be heroes. One other man escaped a shot, but got his jaws grazed. Hoping you will at your discretion, see your way to making a grant which you can send through me or the Rev. John Hallagan, C. C., Yours truly.—Timothy Horan.”

Now, my Lords, apparently nothing was done upon that letter at the time, and on October 13th the cheque in question was drawn, and one of those cheques, although it does not necessarily follow, but I think it proper to assume, I desire to deal with perfect candour with your Lordships in relation to this instance—was a cheque sent in pursuance of that letter. And I admit further, that reading between the lines of that communication, it ought and probably did convey that the affray in which these men were injured, was an affray of an illegal kind, whether it related to a riot, or a conflict with the police, or a raid for arms, I know not; and none of the persons in Dublin, as I am informed, can tell your Lordships. But at the time when the question came for consideration before the Land League, the state of things was this. The Secretary Brennan was in prison. Mr. Sexton had, some time before, been in charge, as I told your Lordships some days ago—in succession to Mr. John Dillon who had been arrested, and as far as I can make out, this transaction took place at a point—if I am wrong in this statement of facts, I should be happy to be corrected, even as I am speaking; I think I am right—this incident appears to have taken place at probably the very highest point of disorganisation in the government of the League, that can be pointed to, namely, Dillon, the previous organiser in prison. Mr. Sexton, who succeeded him as the head in the direction and control of the central branch, had at that time—he will tell you about the date—fallen ill; and about this time Mr. Arthur O'Connor had succeeded him. Mr. Sexton and Mr. Arthur O'Connor will tell your Lordships that they had no knowledge whatever of this transaction, and, Mr. Ferguson, whose initials appear upon the back of the letter, who was a gentleman, I believe, of a respectable position in Glasgow, undoubtedly was, on that occasion, and probably owing to the disorganization which had fallen upon the League and its local representatives, had been for some time in charge, and apparently been chairman of the National League.

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My Lords, I do not seek to mitigate or to minimise the importance of this incident at all, but I wish to explain the circumstances under which it occurred, and I wish to point out further to your Lordships—which I think is the most important thing of all—that although this may point, and, as I believe, does point to a most condemnable act, yet the very circumstances in which the application is made, the very tenor of the letter in which the application is made, goes very strongly to negative the case which is put forward by the “Times”—that this was a habitual course of practice. That is the case which the “Times,” which the prosecution have presented—direct, systematic use of crime for the purpose of furthering other ostensible, legal, and constitutional objects. If the payments for crime had been part of the ordinary recognised machinery, the payment would have been demanded as a matter of course, and the payment would have been given as a matter of course; but the very terms in which this letter is couched are very important, and in which the demand is put forward by the letter shows it was an exceptional circumstance, and contrary to the whole course and tenor of this movement.

As far as Dr. Kenny is concerned, with whose case I was dealing, it consists, my Lords, of the fact that he, being the then treasurer of the League, signed the cheque, and as I am instructed—and Dr. Kenny is here in court, and listening to me—as I am instructed, Dr. Kenny will tell your Lordships that, as far as his knowledge has gone—Mr. Sexton will tell you the same, and Mr. Arthur O'Connor will tell you the same—that to his knowledge one penny was never paid, then or at any time, for the purpose of paying for crime, or for screening those who had committed crime.

The next member is Mr. J. C. Flynn. Your Lordships will find his evidence at page 2842. The only evidence against Flynn is this, that as late as 28th October 1888, in Middleton, Cork, he appears to have boasted to having himself belonged to the physical force movement, and to have claimed that Mr. Parnell's proudest boast ought to be that he had welded the Irish people into one solid phalanx. My Lords, I make one comment upon that; there is the whole head and front of the case against him.

The next is Mr. D. Sheey, Member of Parliament. The evidence against him is at page 725, and consists of a speech delivered by him on the 21st November 1886, at Rylebeg, near, or on the farm of one Kennedy, who had taken an evicted farm. The case is not in any way or from any point of view, a serious one, for that speech having been delivered in November 1886. In January 1887, Kennedy had some stock taken away and he was boycotted, but apparently the boycotting was not of a serious kind, and in the speech which will be read to your Lordships—I do not trouble to read it now—it is most distinctly and strongly pointed out that while there is condemnation of the conduct of Kennedy in not making common cause with his fellows, there is a very earnest and strong disapprobation expressed of anything approaching violence or unlawfulness of that kind.

The next case is that of Mr. J. T. Condon, against whom the only evidence is what I have already told your Lordships. It will be found at page 2795 where Condon is supposed to have said in the autumn of 1886, that if he had been at his place of business, it is the knife Mitchell would have got. My Lords, my friend, of course, points out, and it is obvious to your Lordships that this, even if it had occurred, which, I am told is denied, is merely an incidental, and, of course, condemnable observation made by one man upon that occasion.

My Lords, the next case is the case of Mr. Arthur O'Connor. The evidence against him is also of the slightest kind. It appears that on the 10th of October 1880, he made at Castleisland a speech in which he mentioned, and mentioned with reprehension, the name of Mr. S. M. Hussey. It appears, as I understand the case, that Mr. Arthur O'Connor, and, I think, one other member of Parliament, I am not sure, Mr. Biggar I think, had just come from visiting a very distressing scene which I will not attempt to describe, with reference to an eviction on some property of Mr. Hussey's, or upon some property of which he was an agent. They spoke in strong terms at that meeting, but following that we do not hear of any outrage, or violence, or anything, but the first thing that follows, so far as Mr. Hussey is concerned, does not occur until 1884, that is to say nearly four years after this supposed speech. That speech was not, I may add, considered sufficiently important by the prosecution even to be put in the list of speeches of which they can complain in the particulars which they furnished to us.

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My Lords, there was a further meeting and a further speech referred to by Captain Slacke at page 2314, delivered on the 6th April 1885, but I do not think that that speech calls for any special notice, and the last item is one I have already referred to in another connexion, namely, the payment to Mr. J. G. Ryan, solicitor, of a check of 50*l.* in relation to the Weston House case, which I told your Lordships was a liability which had been incurred by the Ladies' Land League which Mr. Parnell had undertaken, amongst other liabilities, to discharge, and all that Mr. Arthur O'Connor did was, with Mr. Parnell, to sign the check in payment of it.

The next in my list is Mr. Biggar, who also appears, as your Lordships are aware, for himself. There is no evidence against him except the evidence of two speeches, which Mr. Biggar himself will deal with, of the 21st March 1880 and the 10th October 1880, but I have to say this, that in relation to neither of those speeches, which I do not stop to criticise, or in any way characterise, it is not suggested that any violence or outrage in any way followed upon or was connected with either. Like Mr. Egan, he was a member of the I. R. B., as it has been called, that for the course which he took during the open constitutional movement he was expelled and condemned by his former associates, and he admits he does not seek in any way to deny the fact, that he has been a zealous and active member of the party led by Mr. Charles Parnell. I may mention I am informed that Mr. Biggar was expelled from the Fenian organisation as far back as August 1877.

The next is Mr. T. M. Healy, a member of the Irish Bar, and a Member of Parliament. The case against him is that he visited certain persons in 1881 and 1884 who were in Cork Prison, that he made a speech on the 17th October 1880, and I think that is the whole of the charge, as far as I know, against him. Mr. Healy also appears for himself, and no one is better able than he is, to explain any conduct, if there be any conduct of his that needs explanation.

The next is Mr. John Redmond, Member of Parliament, also a member of the Bar. The evidence against him I fail to discover. What the evidence against him is I have literally no conception. He defended, according to the evidence of Constable Brady, given at page 1773, some prisoners tried in 1887, he being counsel at the bar for intimidating one Mrs. Cornell. This is the case which attracted a good deal of attention at the time, but I do not desire to be diverted from the line which I am pursuing, for I wish to go quickly over the ground, as a case not unlike Mitchell's, in which Mrs. Cornell was brought round to a number of persons, with some of whom she had not previously dealt, in order that evidence might be forthcoming of her being boycotted. Your Lordships will see the evidence relating to it on the page I have given, 1773.

I have to mention an incident in connexion with Mr. Redmond—an important incident. On the Sunday on which the news arrived of the Phoenix Park murders Mr. John Redmond was in Manchester, and was attending a public meeting, and at that public meeting it was intended that Mr. Redmond should be a speaker. I believe he was literally on his way to the meeting. He learned of the murder of Lord Frederick Cavendish—he was accompanied by a friend who gathered the same information at the same time, and at that time the news had not generally reached Manchester—certainly had not reached the ears of Mr. John Redmond and his friend who was with him that Mr. Burke had also lost his life in that Phoenix Park tragedy. He was so shocked at the occurrence, that the meeting I think was adjourned—did not take place, and he gave the reason, and he addressed some words of strong and earnest condemnation of the atrocity, the news of which had arrived, limiting his remarks to the fate of Lord Frederick Cavendish, of whose death he had at that time alone knowledge.

My Lords, the "Times" commenting upon these observations of his, called attention to the fact that while he condemned the murder of Lord Frederick Cavendish, that he had been careful to abstain from saying one word in condemnation of the equally atrocious murder of Mr. Burke the Under-Secretary. Upon that Mr. John Redmond wrote to the "Times" stating the facts which I have told your Lordships. They declined to publish it; they did not publish it. Afterwards in the House of Commons he made the explanation which his letter was intended to convey, and from the parliamentary report of that speech of Mr. John Redmond in the House of Commons his explanation, which they had refused to insert in the form of a letter, they

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deliberately omitted from the report of the parliamentary proceedings. My Lords, I think in reference to this incident, I am using language justifiable and justified by the facts when I say that it was conduct that would properly be characterised in the circumstances of the case as nothing short of infamous.

Mr. William Redmond is the next. The evidence, and the only evidence against him is that of district Inspector Webb, given at page 3408. It consists of this, and he does not deny the fact, that at a date mentioned he did disseminate the No Rent Manifesto. I have said all upon that subject that I propose to say, but it is right to add that in a speech which has not been referred to, namely, one delivered at Ennis on the 12th November 1882, Mr. William Redmond proclaimed, as the fact was, that the No Rent Manifesto was never the policy of the Land League, and that the No Rent Manifesto was merely a temporarily weapon used. I think I am giving practically his own language, merely a weapon temporarily used in a great emergency against the unconstitutional imprisonment of the Irish leaders and the other local leaders of the Land League. And that, my Lords, is the speech, the only speech, put in in the whole course of this case or of any Irish member from the suppression of the League in October 1881 until the end of 1882, a period, as I have told your Lordships, of the worst crime.

The next member is Mr. Sexton, now Lord Mayor of Dublin for the second year. There is no evidence against him. There is the story told fourth-hand, to which I have already adverted. Le Caron or Beach tells your Lordships what Egan is supposed to have told him, as to what Brennan is supposed to have told him, Egan, as to what Mr. Sexton is supposed to have done in relation to Egan's flight. I have already intimated to your Lordships that Mr. Sexton will be here to give his own account of that matter.

The next is Dr. Tanner. He made two speeches—he made three altogether, to two of which only is it necessary to make any reference, and, my Lords, my reference must be a reference of strong condemnation. Your Lordships will find the evidence at pages 1385, 1387, and 1484. The first has relation to Hegarty, of Millstreet, as to whom he used language which, I have not the least doubt, Dr. Tanner would feel called upon, if he appeared before your Lordships, to make apology for; it is not language which any gentleman ought to have used, but it may be said that the language which he did use, was in no way connected with any injurious consequences.

The next speech was on the 25th August 1886, which, I think, is not in any sense of sufficient importance to call your Lordships' attention to. The third was on the 23rd January 1887, where he spoke strongly against the women of that country associating with the Royal Irish Constabulary, and it is said following upon that speech, the assault was committed on Rubina Murphy. Your Lordships will find the story at page 1485, that a disguised party cut her hair off and put some tar on her head, and she was not further injured. Of course it was a most unworthy course of conduct to pursue. My Lords, I am glad to be informed that the fact is that this incident did not in any way mar the prospects, matrimonial or otherwise, of Rubina Murphy, for she was soon afterwards married, I believe within a few days, to a member of the Royal Irish Constabulary, and I hope she has found a good husband and is leading a happy life.

The next is Mr. John O'Connor, a Member of Parliament. There is no evidence against him either of speeches or of acts, except the evidence relating to the incident at Cork, to which I have already adverted, and which calls at this stage for no further reference. He is shown to have visited some persons in Cork Prison. Nothing further is to be said about him.

The next is Mr. Matthew Harris. My Lords, Mr. Matthew Harris is now an old man. I do not know that intellectually he ever was a very strong man—he undoubtedly had been connected long ago with the Fenian movement, and the principal accusation against him is in relation to three speeches, I think, which he made. The one is a speech known as “the Parteridge speech,” delivered in Galway on the 24th October 1880, as to which it was alleged that Mr. Parnell was present at it, and it is put up as an accusation against Mr. Parnell that he stood by and heard that speech delivered without any reprehension. My Lords, the fact is, as we proved by the Government shorthand-writer in what has been called the State Trial, that Mr. Parnell was not present when that speech was delivered. Mr. Parnell will tell you the same. But more, when the speech, reprehensible as it unquestionably was, was

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delivered, it was promptly denounced then and there by the chairman, Mr. Tierney, a merchant in Glasgow.

(*The President.*) I think there is evidence that it was denounced by some persons.

(*Sir C. Russell.*) Yes, my Lord, that is the point really, but more. Mr. Harris proceeded then and there himself to withdraw, and to apologise for having made it, and he explained that what he meant to convey was not that he was justifying the violence or outrage committed on the landlord——

(*Mr. Justice A. L. Smith.*) I do not think then and there.

(*Sir C. Russell.*) Yes, at the very meeting, my Lord. I mean by then and there, at the meeting.

(*Mr. Justice A. L. Smith.*) The great speech was sometime afterwards, when he qualified that speech.

(*Sir C. Russell.*) No, my Lord, I am right; he qualified and apologised for it on two occasions. One of them on the occasion of the meeting, at the end of the meeting, probably that is what your Lordship has in your mind, and that is what I meant by then and there. What I meant by then and there, was on the occasion of the meeting, after it was reprehended by the chairman. He explained that in the old days when he had been a member of a great organisation, that he had gone about and had exerted himself to save lives and avert danger from the landlords and land agents, and he added, with some bitterness, that his efforts to save them had not been recognised by the milder and more humane conduct, as he believed it, of landlords and land agents; and then, on another occasion, that is to say, seven days later, on the 31st October 1881, at Loughglyn, he again referred to the subject, and again endeavoured to undo any mischievous effects that might have followed from it.

My Lords, I have already dealt with what his conduct was in relation to Bermingham Farm, from which Bermingham had been evicted, first taken by Hynes, surrendered by Hynes, and afterwards taken by the unhappy man Dempsey, and I pointed out yesterday that in relation to this he had, after the Murty Hynes incident, taken no part whatever in relation to it. He had later on, on the 7th April 1881, at Carna, made a speech in which he referred in very harsh, and I will add ungallant, terms to Mrs. Blake, of Reuoyle. I do not defend the prudence or propriety of that speech, but I would only say that if the account put before me, which your Lordships will probably hear in part given by witnesses in the box, of the state of this lady's tenantry, and her conduct in relation to them, is correct, that certainly it is not to be wondered that her conduct would be animadverted upon.

I think the only other speech which is referred to is on the 25th March 1881, at Killimore, where he makes a speech about land-grabbing; but I am not aware that it is suggested that any consequences of any serious kind followed from that speech.

Now, my Lords, I think I have mentioned, with two exceptions, the whole of the evidence pointing to the conduct of Mr. Matthew Harris. Those two exceptions are, first, the statement which your Lordships will find on page 2788, that he was seen in company in April 1882, with a person then going by the name of Thompson, but who was, as suggested, a man called Tynan, described and identified as No. 1. My Lords, I am instructed that that is an absolute and entire mistake. Mr. Matthew Harris will tell you that this suggestion has no foundation whatever in fact.

The man Thompson has been on more than one occasion referred to. I do not know whether your Lordships can recall him. In truth, this Thompson was not Tynan at all, but an entirely different person, as your Lordships will hear from more than one witness.

The only other item to which I have to make a passing reference, I did refer to it before, were the documents put in which have been referred to for brevity's sake, as "the Matthew Harris's documents," I have not read them. I am not counsel for Mr. Matthew Harris. My learned friend, Mr. Lockwood, will deal with them as far as he thinks they are important to be dealt with. I have only heard their general description, and that general description does not warrant any importance being in any way way attached to their character.

The next case is the case of Mr. Timothy Harrington, a Member of Parliament, and also a member of the Irish Bar. Apart from the evidence of the informer, Thomas O'Connor, there is no evidence against him whatever. Your Lordships will find in the case of the witness Hagney, at page 615, that Mr. Timothy Harrington is shown to

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have tried to stop this boycotting. In the case of the witness Honan, at page 666, your Lordships will also find evidence that Mr. Harrington tried to stop boycotting in his case. And, apart from the evidence of Thomas O'Connor, the informer, the only remaining evidence is (I have not even inquired, and I do not know whether it is correct or not, and I do not stop for the moment to inquire) the evidence of Mrs. Donoghue, at page 1754, that Mr. Harrington paid in 1882 for the support of certain suspects who were imprisoned at Tralee.

Now, my Lords, I must say a word about the man Thomas O'Connor. His statement was, so far as Mr. Harrington was concerned, your Lordships will recollect that Mr. Harrington paid a visit to Killientierna, or Currow, in March of 1881, upon the occasion of an election of some guardians of the poor; that he, O'Connor, had never spoken to Mr. Harrington before (I do not know that he had even seen him before), but his statement—his almost incredible statement—was that in the open street in company with one or two others, who were also strangers apparently to Mr. Harrington. Mr. Harrington told these young men that they were to go about at night, I think, to voters who had not promised to vote for the popular candidate; that they were not to do them much harm, but that they were just to frighten them sufficiently to induce them to vote for the popular candidate. They were not to spare the persons whom they honoured with their visit, but they were to take care and not kill them.

On the face of it, my Lords, the statement is ludicrous in the extreme. He went on further to say that he was to be paid for this, or that they were to be paid for this; that after the election was over, they went to Tralee; that Mr. Timothy Harrington said they ought to be ashamed of themselves, and to go off about their business; but that at a later period some mysterious person came and gave some money to one or other of them which was distributed as payment for those nocturnal visits. My Lords, the story from beginning to end is a most complete and absolute fabrication. But he did not stop there. The brother of this O'Connor—as I am informed, a respectable young man, the informer being the ne'er-do-well of the family—was the secretary of the local branch of the League, and O'Connor deposed that a letter had come from Mr. Harrington from the central branch in Dublin, complaining of some action of that local branch, and that the Central League could not authorise or recognise their proceedings, and declining to give any grants through their medium, giving as the reason (as your Lordships will find was given by Mr. Harrington in many previous cases) that the state of the district was so disturbed; that the central branch did not believe that the local branch was exerting itself (that is what is implied; I will read the letter in a moment) as it ought to do. But that accompanying this letter was another letter, in which Mr. Timothy Harrington, writing on the official paper of the Land League, said that the true reason why grants were withheld, was because the Land League branch was not sufficiently active in the propagation of crime in Ireland. I will read the letter, which is forthcoming; the apocryphal letter naturally not:—

“ Mr. John O'Connor, Currow,
“ Scartaglen.

“ The Irish National League,
“ 43, O'Connell St., Upper Dublin,
“ February 5, 1886.

“ DEAR SIR,

“ At the last meeting of the organising committee of the National League, I
“ laid before them your application on behalf of the evicted tenants, Mary Russell,
“ Mary Butler, and Michael Riordan.

“ I regret to say that the organising committee found themselves compelled
“ to refuse a grant, owing to the very disturbed and lawless state of the county of
“ Kerry at the present time. The committee decided upon sending no grant to
“ those districts where continual disturbance has been kept up. I do not wish you
“ to understand that they believe the branch of the National League is in any
“ way associated with lawless outrages, but they wish to save the general organisa-
“ tion from even the suspicion of sending funds to places where outrages of this
“ kind have been occurring, and they regard this step as necessary for the safety

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“ and character of the organisation at the present time, and have directed me to
 “ communicate their views to the secretaries who have made application.

“ Yours faithfully,

“ T. HARRINGTON,

“ Hon. Sec.”

My Lords, is it credible? Is it not on the face of it, without Mr. Harrington's denial, a story to which no sensible man can for a moment give credence. But there is more to be said about O'Connor. I have so much to say still to your Lordships that I cannot go with that elaborateness, which if it were an important incident in the case I should feel compelled to do, into the story that he told your Lordship will have evidence before you, but I wish to call attention to a statement made to us and communicated to us, and upon which I presume, your Lordships, if my information is correct, will see proper to take some steps. I am told that this man O'Connor after he gave his evidence in London became ill. He professed to be a Catholic and sent for a Catholic priest. He was supposed to be dangerously ill. He was a man, as we noticed at the time in the box, obviously in very bad health. He then desired to make, and did make, a sworn statement. He sent for a solicitor, or a solicitor was sent for, at the instance of this Catholic priest. The name of this solicitor is, I understand, Mr. Bigham, and I understood also, from the communication which Mr. Bigham made to Mr. Lewis, to whom he sent a copy of this statement, that a copy had also been sent to your Lordships. I do not know whether that is so or not.

(*The President.*) That is so, with a statement that he should communicate it to both parties, of which we approved.

(*Sir C. Russell.*) I did not know the tenor of the communication to your Lordship at all.

(*The President.*) We were informed it had been communicated to both the parties, and we left it to be dealt with by the parties as they thought fit.

(*Sir C. Russell.*) I was not aware of that at all. All my client instructs me about it is that this gentleman, Mr. Bigham, thought it right to send him a copy of the communication, and added that he had sent one to your Lordship. I did not know whether it would be communicated to the other side or not; but it obviously is desirable that that matter should be cleared up, and that your Lordships should see this man in the box, and know the truth of the matter.

But already we have under his own hand a statement, the seriousness of which does not begin and end with him only—I mean the letter which he wrote to his brother at the time that he was in London, and which letter was forwarded by that brother to Mr. Harrington. Your Lordships will recollect this witness' own story. That he wrote to Mr. Hoston of the so-called Loyal and Patriotic Union (or to the secretary of the Loyal and Patriotic Union), for some literature, in order that he might disseminate it; that he afterwards put himself in communication with Mr. Walker. I cannot help but hear the contradiction. It is stated that there was no communication of any kind. I am not affirming whether there was or not. I am taking the man's statements—very likely they may have been untrue—that he got in answer to that application certain literature; that then he preferred to give information; that he did, I think, to Mr. Shannon give some statement; and when he arrives in London, he writes to his brother, Mr. Pat O'Connor, or Connor, the letter which your Lordships will find on page 1747, dated 3rd December 1888.

“ DEAR PAT,

“ London, 3rd December 1888.

“ I AM here in London since yesterday morning. I was in Dublin two
 “ days. I got myself summoned for the 'Times.' I thought I could make a few
 “ pounds in the transaction.”

My Lords, I am afraid there are a good many individuals who have made a few pounds in the transaction.

“ I thought I could make a few pounds in the transaction, but I find I cannot,
 “ unless I would swear queer things. I am afraid they will send me to gaol, or
 “ at least give me nothing to carry me home. I would not bother with it at all,
 “ but my health was very bad when I was at home, and I thought I would take
 “ a short voyage and see a doctor at their expense. But instead of that doing

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“ me any good, it has made me worse a little. I will be examined to-morrow, Tuesday, the 4th. Get some daily paper, ‘the Freeman,’ and see how it will be on it. You need not mind replying to this, as I am leaving this house as soon as I am examined, which won’t be longer than to-morrow, Tuesday. Whatever way it will end do not blame me for it. I thought to do some good, but I fear I cannot, but harm. Tell Martin to have 30s. out of the bank, as I fear I will have to send for the cost if he has not it, after the fair I may not need it, but I am afraid I may. I will write again to-morrow night, or at furthest on Wednesday, if I am alive and at liberty.”

What the queer things that he was asked to swear were, he told us. He told us that he was pressed (I am not putting it too strongly) to say whether he could mention any facts to implicate Mr. Parnell or the leaders of this movement, or any body in this movement. His answers on page 1747 are a little instructive, beginning at Q. 31,985. He refers to having seen a man called Walker, a man whom your Lordships will recognise.

“ Was that the first time you saw him?—(A.) No, but that is the first time I knew his name. (Q.) When did you see him first?—(A.) When I came to Dublin. (Q.) Were you asked by him whether you could or could not say anything to incriminate the popular leaders in Ireland?—(A.) He asked me to state everything I could, and not leave anything back. (Q.) Were you not asked whether you could incriminate any of the popular leaders in Ireland?—(A.) No, I do not think he did. (Q.) Will you swear you were not?—(A.) He told me to swear everything, and not to leave anything back, no matter what it was. (Q.) Were you asked to tell ‘queer things’? Take care, O’Connor?—(A.) What is meant by ‘queer things’? (Q.) Were you asked to tell ‘queer things’?—(A.) Well, he told me to tell everything I knew. (Q.) Were you asked to tell ‘queer things’?—I use that phrase on purpose, Answer, Sir, you are on your oath?—(A.) I do not know how I will answer. (Q.) Were you asked to tell queer things?—Aye or no?—(A.) Well, I understood that he forced me rather hard. (Q.) You understood that he forced you rather hard?—(A.) Yes. (Q.) Was that to try and fix criminality upon some of the Irish Members?—(A.) Well, it was not just; I told him that I wanted to get out of the thing altogether, and to leave my house. (Q.) When he forced you rather hard, was it to try and get you to fix criminality upon some of the Irish Members?—Aye or no?—(A.) I think not; I do not remember what it was. (Q.) What was it he forced you hard about?—(A.) Oh! about how much I knew about the moonlighting, or about Mr. Harrington. He said I should know more about Mr. Harrington than that, and that I surely did when I knew that much, and that I ought to tell it. (Q.) Do you say Mr. Harrington was the only name he mentioned?—(A.) I do not remember that he mentioned anyone else.”—

and so on. My Lords, I dismiss this case by pointing out the difficulties, the hardship, positively inflicted upon men engaged in public life, as these men before your Lordships are and have been, being exposed to defamation of their character, to be supported by such corrupt and such rotten testimony as this, of this man who, writing to his brother in the intimacy of their close relationship, tells him he comes to London thinking he may get some money out of the “Times”; who tells him he is afraid he cannot get money out of the “Times” unless he say “quare things”; who is afraid he will have to go back penniless unless he says “quare things”; who comes into the box and says the “quare things” one day, and when he has left the box—I do not know whether paid or not—after he has got such money as was to come to him for his attendance here then upon his oath, and when he finds himself in a state of bad health, makes a declaration denying the truth of that which was put forward as reliable evidence.

(*The Attorney-General.*) My Lord, I may just say my interruption was to say we have never received any communication of any kind. The interruption was only in reference to that, not with reference to the appellation “Patriotic.” There was no communication ever made to Mr. Soames by Mr. Bigham or anybody.

(*The President.*) I think you had better inquire.

(*The Attorney-General.*) I have inquired.

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[Continued.]

(*The President.*) I gave directions that Mr. Soames should be informed of it, and I was under the impression that he was.

(*The Attorney-General.*) No, my Lord, we have not received it in any way.

(*The President.*) I think you had better inquire. I think you will find the question has been mentioned.

(*Sir C. Russell.*) I could examine this man's evidence at greater length. I do not propose to do so. I may point out one of the queer things he is said to have done was helping the re-instatement of Mrs. Horan, with reference to which, from the dates he gives, it is impossible he could have taken part. However, it is really unimportant to dwell upon small trivial incidents of that kind. I shall have later, when I have examined in full the remaining evidence which bears upon the American branch of the case, and which bears upon the letters, to contrast the grave, the serious, the far-reaching defamatory statements which are contained in these libels; to show your Lordship how utterly they fall short of any of those charges, and how completely—I do not hesitate to say it at this moment—the charges themselves have in their main substance and character crumbled and fallen to pieces by the weight of this reckless extravagance which has throughout characterised them.

I find, my Lords, that there are still some members that I have not referred to. One is Mr. T. D. Sullivan, once Mayor of Dublin, and for many years proprietor of the "Nation." Mr. Sullivan is a man universally respected, I may say by all classes in Ireland; it is a rare thing to say perhaps of a popular leader. Against him there is not a scintilla of evidence from beginning to end. I think it right to tell your Lordships something about Mr. T. D. Sullivan. The late Mr. A. M. Sullivan, well known to members of the Bar, was associated with Mr. T. D. Sullivan, the present accused, in the management and proprietorship of the "Nation" newspaper. My Lords, the course that that "Nation" newspaper has pursued with reference to public movements is one that must be, and ought to be drawn to your Lordships' attention, and will be proved in the box by Mr. T. D. Sullivan. When that mistaken and condemnable movement, as I believe it, the Fenian movement, gathered strength in Ireland, Mr. A. M. Sullivan and Mr. T. D. Sullivan were earnest in opposition to it and in condemnation of it persistently and consistently in the columns of the "Nation." For that course of conduct they incurred a large measure of popular odium. They were held up in the columns of the paper of that wretched man Richard Pigott to public obloquy as informers to the Castle; but undeterred by any such attacks they pursued consistently the course which I have suggested. Mr. A. M. Sullivan and Mr. T. D. Sullivan both were active members—Mr. A. M. Sullivan during his life—of the Irish party, and, so far as I know, I believe there is no act in the public or the private life of either of those men for which the families of either of them, or the friends of either of them, need blush or hang their heads.

Of Mr. William O'Brien I have already spoken. Your Lordships will see him in the box.

Of Mr. P. O'Brien, Member of Parliament, one fact has been proved against him, and I admit one fact of consequence, not in connexion with these charges, for it has no connexion with them, not in connexion with the Irish movement directly, but in connexion with what your Lordship will recollect—the publication which he made in Liverpool in reference to the manipulation of the jury lists. I wish to distinguish. So far as his publication consisted of an explanation and an exposure of the fact that there was a systematised course of jury packing in the course of the trials that took place in Dublin, I say he was perfectly within his right in publishing it, and in exposing it. I say equally he was in the wrong—and I do not defend or excuse him; he is not my client, and I know not what he will say, if he is called into the box, about it—I say equally he was indefensible and inexcusable, if he did publish that slip of paper which your Lordships may recollect was annexed to the analysis of the jury panels, and which undoubtedly was intended, or if not intended, certainly was calculated to expose to odium the particular set of jurors mentioned in the analysis. But I think your Lordships will see there is a broad, a clear, and an intelligible distinction between the two. I have had no communication with Mr. O'Brien. As I have said, I am not his counsel, and I know not what Mr. O'Brien will say in reference to that second head of the charge against him. But I would again remind your Lordship that for an offence he was unquestionably found guilty and has suffered the penalty of the law.

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[Continued.]

My Lords, the only remaining Member of Parliament (and it will be with some sense of relief that I have to say to your Lordship I have now got to the end of the consideration of this part of the case) is Mr. John Barry, as to whom I am not aware that there is one particle of evidence of one single act done or one single speech delivered in the slightest or faintest degree of an incriminatory character. If I am wrong I should be very glad to be corrected, and would not complain of being interrupted.

And so, my Lord, I have ended my consideration of the evidence as it seems to be pointed against the Members of Parliament.

Adjourned for a short time.

My Lords, I omitted to supplement my observations in reference to the Horan cheque by two, which I think of some consequence. The first is I draw your Lordships' attention to the circumstances under which that letter appears, and from whom it appears. As Mr. Soames told us, it comes from, and is put into his possession by Phillips, the accountant employed for the purpose of copying the accounts, the disbursements, of the League. He therefore had the opportunity of seeing what was going on there, and obviously had access to the documents of the League. I do not stop to dwell upon the fact that he appears to have dishonestly used his position of trust for the purpose of carrying off and of handing or, I know not whether, of selling, to Mr. Soames documents which belonged to and relate to the business of his employers. I have also to call your Lordships' attention to the fact that during the very time at which this cheque was given, there was the man Farragher, whom I have classed amongst the informer witnesses, and who had been in the employment of the League for a considerable time, by his own account, and I draw your Lordships' attention to these circumstances, in order to justify and build up the argument I was addressing to your Lordships, in order to show that this, as I think, the character of the application itself establishes, was an isolated and not a usual transaction.

I now come to the American branch of the question; and, in connexion with that American branch, I think it will be convenient to weave into the narrative, so that your Lordships may have it connected with reference to the story of the American conventions, the story told by Le Caron as to the action of the secret body with which he was associated. This American branch of the question cannot fail to raise in your Lordships' minds and the minds of thoughtful persons some very grave consideration.

The population of America, in that vast continent is a community reaching the figures of between 60,000,000 and 70,000,000 of human beings; of that number some 15,000,000 or 16,000,000 are Irish, or of Irish descent. How comes it that at least to comparatively recent days that vast multitude of persons were imbued, as undoubtedly they were imbued, with deep feelings of resentment to the government of the land they had left? That it was so is a fact, a pitiable fact. My Lords, the explanation is to be found; the story of that whole misunderstanding, misgovernment, misrule with which I have been obliged to trouble you from its rise, is this: Emigration from Ireland has been not the voluntary and healthy exodus of a people seeking in fresh fields of enterprise new careers in life, new fields for profitable employment of their industrious labour. In great part at least it has not been of that character. They have felt, and they have had cause to feel, that a great part of the emigration from Ireland, especially in its earlier years, has not been voluntary emigration; that they have been deported, not emigrated; that they have been driven from the country to which they were heartily attached.

My Lords, anyone who has visited America and who has had the singular pleasure of sailing up that noble bay which leads to it, and of passing before he landed under Brooklyn Bridge, sees a sight which, if he be an Irishman, fills him with some humiliation and certainly tends to sadden anyone's mind, and take away that feeling of pleasurable exhilaration with which one looks forward to the contemplation of new and unknown scenes. For on the hillside of New York his attention is drawn to a collection of huts as miserable as any to be seen—I have seen them myself—as miserable as any to be seen in Galway or Mayo. What are they? What is their history? What purpose have they served? My Lords, they have served as squatting refuges for the wretched creatures who have been landed upon the hospitable—for they have been hospitable shores to the Irish race—on the hospitable shores of America, but who have arrived

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[Continued.]

penniless, unprovided for, with no provision for employment, and who have been compelled to receive refuge in these wretched huts until some kind of honest employment can be found for them.

The whole history of this story of emigration is enough to account for the feeling with which it is regarded by a large mass of the population of Ireland. I have referred to these squatter huts. I might refer to the stories told to this day of the hospitals of New York, of the wards; some of them named after landlords from whose estates men and women and children have been driven; named after those landlords because of the deaths, the disease, the misery, that have been imported into them.

My Lords, the Irish are mainly an agricultural population; yet so little forethought for their future was shown, so little consideration for their future lives, that in the absence of any local field where such agricultural knowledge as they possessed might be utilised, they have in the main gravitated to and been found in large towns.

My Lords, their exodus has been like that of the Israelites when they were seeking to escape from the Egyptian bondage. They have, like them, made their way to "a good land and a large"; but there was no Moses to guide them; and to them America has not proved "a land flowing with milk and honey"; for as to the great proportion of them, their lot has been hard. The story of emigration of those days, and even of recent times, has other, and even graver aspects. The demoralisation of youth, the loss of that chiefest treasure to many a guileless girl; the ill provision in emigrant ships of former days, when inspection was not as it has been in recent times, emigration in rotten ships, such as too often proved coffins and graves of intending emigrants.

My Lords, it is not remarkable from these considerations that under such conditions as these, and with such associations as these, and with such associations as these facts recall, that the Irish should look with distrust upon emigration, and should now have brought with them to America feelings not kindly to the government which they believed had driven them away. Their emigration has been mainly neither the emigration of the family group, nor of the village community; but it has been the emigration of the unit of the family, of the young man or the young girl, away from the influence of friends, away from the influence of family, and the community amongst which they lived. And it is not remarkable that they have not yet achieved that position which their energy and their intelligence, I hope, will accomplish for them. They are to-day, I regret to say it, too much the Gibeonites in the labour theatre of the world. My Lords, in these considerations is it remarkable that the Irish should have entertained the strong and resentful feelings which unquestionably they have? Nay, is it remarkable, as I shall develop to your Lordships later, that in view of these considerations, and under impulses and teachings for which I take credit on behalf of those I represent, they have in these later times linked their strength, given their money, combined their energies to ameliorating the condition of their kindred in Ireland by open methods of constitutional redress. My Lords, I could not better express the feeling which was entertained during the Fenian movement in America, than by recalling the celebrated expression of one of the distinguished children of Ireland at that time, for I am happy to say that Ireland has contributed to America distinguished men, and that she has amongst the distinguished men that she has sent, several of the Signatories of the Declaration of Independence. She has given statesmen, generals, soldiers to the American army; and one of those, General Sheridan, whose genius is described by Lord Wolseley as one of the most remarkable the world has known, is reported to have said at that time: "An American by birth, I love liberty; an Irishman by descent, I hate oppression; and if I were in Ireland I should be a Fenian." This feeling was shown in that movement. It was shown in their joining in the Canadian Raid. It was shown in their being the main support in men and in money of the Fenian movement; and I think nothing is so remarkable, and I will add so gratifying, as to know that the Fenian force of Irish Americans which at the lowest computation amounted to between 200,000 and 300,000 had in the years 1886-7-8 dwindled in the Clan-na-Gael Association to between 20,000 and 30,000. My Lords, it is the boast, and it is the justifiable boast of Mr. Parnell, that he, with the assistance notably of Mr. Davitt, has been the first man who has ever got the Irish American people to combine and to lend their assistance in a movement that was constitutional, and that was within the law.

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[Continued.]

I must trouble your Lordships at some length with this history, because of its importance, and because in the account of which, and the incidents to which, it narrates without much addition from me, the story and the vindication of Mr. Parnell's policy will be told.

My Lords, Mr. Davitt paid the first visit to America in relation to the movement which afterwards became known by the name of the Land League movement in 1878; and I will read to you in this connexion the published documents.

This was published in the "New York World" in July 1882, but it related to events in 1878, and I will only read to you one passage from it. Mr. Davitt says:

"When I was in prison I spent my time thinking of what plan could be proposed which would unite all Irishmen upon some one common ground. I saw that the movements for the independence of Ireland had failed for two reasons: First, that there had never been one in which the people were united. Second, because the movements had been wholly sentimental. I saw that for Irishmen to succeed they must be united, and that they must have a practical issue to put before Englishmen, and the world at large. Sentiment cannot be relied upon to move neighbouring nations, and when changes of great political importance, involving an alteration in the policy of a country like England, conservative, and somewhat slow to move, are to be brought about, there must be something practical in the issue put forward. I saw all this, and I made up my mind that the only issue upon which Home Rulers, Nationalists, Obstructionists, and each and every shade of opinion existing in Ireland could be united, was the land question. I at first proposed my plan to leaders of the Nationalists"—Nationalists, my Lord, at that time meant, in 1878, the physical force party, or principally so—when a short time out of prison, but they refused to have anything to do with constitutional agitation. Among nations of the present day secret political associations are an anomaly.

"If the weak have a just cause they can, by presenting its claims to recognition, force the strong to grant them justice. They can do this purely as the result of public opinion; in other words, influencing the party of the strong in their favour by winning public opinion on their side. Now, it must be perfectly apparent to every one that if you wish to reach public opinion and to influence it, you must do every thing openly. The converse of this would be so absurd that it is scarcely worth discussing. A secret society then makes the use of the only weapon of the weak if not impossible exceedingly difficult. I therefore resolved that any new plan in connexion with Ireland should not be placed for operation in the hands of any one party, although I was willing, if the Nationalists chose to adopt it as a new departure, to let them inaugurate it. They refused, however. I visited personally every man who was at all prominent in connexion with Irish affairs, and in order to find out the state of feeling here, I came to this country upon a lecturing tour. I went all through, and satisfied myself that the issue was one which would be adopted by the Irish in America. More than that, I convinced myself that the issue was one which would command the respect of the Americans themselves."

One other thing in this connexion I must also read in the same publication, and referring to the same period.

(*The Attorney-General.*) When was this?

(*Sir C. Russell.*) It was published in July 1882, and referred to the inauguration movement.

(*The President.*) Where are you reading from?

(*Sir C. Russell.*) The "New York World" of July 1882.

(*Mr. Justice A. L. Smith.*) Mr. Davitt read himself what you have read, I think.

(*The President.*) A portion of it.

(*Sir C. Russell.*) I do not think all of it. The particular thing I am reading from is a statement in point of fact of what I may call the American branch of the case. This is not long, and I should like, in order to make my statement quite complete, to be allowed to read it. The propositions were seven, which he thought ought to be insisted upon.

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[Continued.]

“ 1. The first and indispensable requisite in a representative of Ireland in the
 “ Parliament of England to be a public profession of his belief in the unalienable
 “ right of the Irish people to self-government, and recognition of the fact that
 “ want of self-government is the chief want of Ireland.

“ 2. An exclusive Irish representation, with the view of exhibiting Ireland to
 “ the world in the light of her people's opinions and national aspirations, together
 “ with an uncompromising opposition to the Government upon every prejudiced or
 “ coercive policy.

“ 3. A demand for immediate improvement of the land system by such a
 “ thorough change as would prevent the peasantry of Ireland from being its
 “ victims in the future. This change to form the introduction to a system
 “ of small proprietorships similar to what at present obtains in France,
 “ Belgium, and Prussia. Such land to be purchased or held directly from the
 “ State. To ground this demand upon the reasonable fact that, as the land
 “ of Ireland formerly belonged to the people (being but nominally held in trust
 “ for them by chiefs or heads of clans for that among other purposes), it is the
 “ duty of the Government to give compensation to the landlords for taking back
 “ that which was bestowed upon their progenitors after being stolen from the
 “ people, in order that the State can again become the custodian of the land for
 “ the people-owners.

“ 4. Legislation for the encouragement of Irish industries; development of
 “ Ireland's natural resources; substitution, as much as practicable, of cultivation
 “ for grazing; reclamation of waste land; protection of Irish fisheries; and
 “ improvement of peasant dwellings.

“ 5. Assimilation of the county to the borough franchise, and reform of the
 “ grand jury laws; as also laws affecting convention in Ireland.

“ 6. A national solicitude on the question of education by vigorous efforts for
 “ improving and advancing the same, together with every precaution to be taken
 “ against it being made on anti-national one.

“ 7. The right of the Irish people to carry arms.”

So much for Mr. Davitt's first visit. Mr. Parnell's visit began in the year 1879 and ended early in 1880.

By the end of 1879–80 the policy, the active policy as I may properly describe it, pursued in Parliament by Mr. Parnell and his followers from 1875, had already begun to inspire in the minds of multitudes of the Irish people the hope and the belief, the growing belief, that from that Parliament much good might be attained. If your Lordships ask for proof of that, I would refer you to that remarkable document which is set out at page 2470. I mean the report, the secret report of John Devoy, who, in company with one General Millan, I think the name was, visited Ireland and reports to the secret organisation in America the state of the Fenian party in Ireland. I do not propose to read that document. I intend merely to summarize it. This is a summary—I am obliged to my friend for handing it to me. The summary may be described thus:

“ He records the discord among the Fenian body owing to conflicting claims
 “ to leadership on the part on the one hand of the Stephens party in the Supreme
 “ Council, and of the action of O'Donnavan Rossa and his friends and his
 “ adherents.

“ He records the fact of the expulsion in 1877 of various former members of
 “ this Secret Society in Ireland, because of their adhesion to the Home Rule
 “ movement.

“ He speaks of a considerable sum of money having been sent to Ireland for
 “ the purchase of arms, large sums of money (I may say in passing that is in
 “ conflict with another statement made on that subject). He speaks of the hair-
 “ brained persistence in a certain section of that body in the belief that it is a
 “ scheme of arms and insurrection, and in effect adds, that speaking of the move-
 “ ment as a whole, it is practically in a state of collapse.”

He does not use the word collapse, but in a disorganised state.

“ And he adds what is not unimportant, that he believes the county it was
 “ most powerful in was the county of Mayo.”

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[Continued.]

My Lords, Mr. Parnell paid his visit at the date I have told your Lordships. He was at a later date pressed to re-visit America.

I will read this, my Lord, a little out of date, It was in February 1881, and on that occasion there was published a letter, which I am about to read, in the "Irish World," and in the English press. He begins that letter by acknowledging the receipt of a resolution passed at the meeting of the National League in Ireland, requesting him to proceed to America, and this is the letter giving his reasons. After acknowledging the resolution, it proceeds—I will ask my friend to read it.

(*The Attorney-General.*) May I ask what you are reading from.

(*Sir C. Russell.*) Mr. Parnell's letter of the 13th February 1881, published in the "Freeman's Journal" of February 17th, and other papers.

(*Mr. Asquith.*) It is headed "To the Irish National Land League. Paris, 13th February 1881. Gentlemen,—*[I have been honoured by the receipt of a resolution adopted at your meeting of the 8th instant requesting me to proceed at once to America, with the object of securing the sympathy of the American people, and the co-operation of the Irish nation there. After full and grave consideration of your resolution and of the general situation, and due consultation with friends whose opinions are of great value, I have decided that it is my duty to remain in Ireland during the present crisis, and this for reasons which I will shortly detail to you].

"Our movement in America, although of great importance and capable of immense development, depends entirely upon the stand which is made in Ireland. If we are worthy of the occasion here, the American people and the Irish nation in America will give us proportionate sympathy. If the spirit and courage of our people at home be maintained, the resources of the whole Irish race abroad will be at our disposal; while if there is the slightest flinching or reaction in Ireland it will produce disastrous results in America. Nor can I agree with you that for the remainder of the present session very little is to be expected from Parliamentary action. The expelled Irish members have almost unanimously decided to remain in their places and offer every resistance which the forms of the House of Commons still permit to the passage of the Coercion and Arms Bills. In this resolution I fully concurred.

"The result of the renewed exertions of the party since the *coup d'état*, and the adoption of the gagging resolution, has been so far most encouraging. Moreover, it would be scarcely fair of me to leave the party to face the uphill work entailed upon them, and I think I can be of some service during the passage of the Land Bill in pointing out in what respects it may fall short of a final settlement of the land question, should it fail to offer an adequate solution. The Government of England having adopted the rule of coercion and intimidation against our people at home and their representatives in Parliament, and having practically attempted to drive both one and the other outside the limits of the Constitution by the use of unconstitutional and illegal means in Parliament and the country, two courses appeared open to us. The first that the Irish members should retire in a body from the House of Commons, and announce to their constituents that the constitutional weapon of Parliamentary representation had been snatched from their hands, and that nothing but sullen acquiescence or an appeal to force in opposition to that force which had been used against us. The second and only other alternative appeared to be that we should steadfastly labour on deepening the lines and widening the area of our agitation, appealing to the masses of the population of England and Scotland who are much less represented in the House of Commons than are the masses in Ireland. Appealing, I say, against the territorialism and shopocracy which dominate Parliament, to the working men and agricultural labourers of Britain, who verily have no interest in the misgovernment and persecution of Ireland. I have dismissed the first of these courses from consideration, but the second alternative presents to us many elements of hope and ultimate success. As I have said, Parliament is at present governed by the landlords, manufacturers, and shopkeepers of Great Britain. At election times the springs are set in motion by the wire-pullers of the two political parties, and the masses of the electors are driven to the polling booths to register the decrees of some caucus with

* The part in brackets was not read.

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[Continued.]

“ place and power, and not the good of the people as its object. Public
“ opinion in England is also deliberately and systematically perverted with regard
“ to Ireland. But a vigorous agitation in England and Scotland would change all
“ this. The near approach of the household suffrage in the counties, a practical
“ certainty before the next general election, will sound the doom of the English
“ land system, while the starting of a working man’s or agricultural labourer’s
“ candidate in every British constituency would soon bring House of Commons
“ Radicalism to its senses. A juncture between the English Democracy and Irish
“ Nationalism upon the basis of the restoration of Ireland’s right to make her own
“ laws, the overthrow of territorialism in both countries, and the enfranchisement
“ of labour from crushing taxes for the maintenance of standing armies and navies
“ would prove irresistible, would terminate the strife of centuries, and secure lasting
“ friendship, based on mutual interests and confidence, between the two nations. I
“ would say in conclusion that there is nothing in recent events, or in the coming
“ measure of coercion to compel the Irish people to modify in the slightest degree
“ their action of open organisation and passive resistance. All coercion directed
“ against a nation must work rather by intimidation than by its enforcement, since
“ from the nature of the case it can only be applied to a very limited number
“ of persons out of the mass it is intended to terrorise. The Government
“ will rely much upon the intimidation produced by the first arrests, but
“ if the gaps are all filled, and the ranks closed, in all probability no
“ second attempt will be made to break them. I have noticed that a proposi-
“ tion has been made to supply the place of the present open organisation by
“ secret committees. I could not approve of such a course, and for many reasons,
“ nor do I think it would have the slightest chance of success. The Land League
“ is not engaged in any illegal enterprise, and it is a matter of notoriety that a
“ special jury of the city of Dublin, after a careful investigation extending over
“ many days, by a majority of ten to two, declared the organisation to be
“ perfectly legal and constitutional. I do not believe the arrests will be numerous,
“ although probably a wide-spread system of terrorism by means of warning
“ conveyed to individuals through the police will be adopted. Disregard these
“ threats, let no man leave his post, continue your organisation as before, and have
“ others ready to take the place of those who may be arrested. By this policy of
“ passive endurance the Irish people will command the respect of the world, and
“ will prove themselves worthy of freedom.

“ To the tenant farmers I will say that theirs is now a position of great
“ responsibility.

“ Upon their action during the next few months probably depends the future
“ of Ireland for a generation. Great exertions have been made for them, the
“ sympathies of America have been enlisted, and practical help is pouring in, and
“ will continue to pour in from that country. Michael Davitt has manfully
“ returned to face the horrors of penal servitude, and many others in every
“ part of Ireland are willing to face imprisonment for their sake. The
“ tenant farmers are not called upon to make great sacrifices, or to run much
“ risk themselves. They are asked to refuse to pay unjust rents, and not to take
“ farms from which others have been evicted for such refusal. If they collapse
“ and start back at the first pressure, they will show themselves unworthy of all
“ that has been done for them during the past eighteen months, they will prove to
“ the world that they are fit only for the lot of slavery which has been theirs, and
“ that oppression and tyranny should be their normal condition. If, on the other
“ hand, they remember our precepts, and bear themselves as men willing to suffer
“ a little for the good of all, they will make for themselves a name in Irish history,
“ and their children may speak proudly of them as the precursors of Irish liberty.
“ I have every confidence that they will be staunch, and that the spirit which has
“ been created will survive every persecution and outlive temporary coercion.

“ The honour of Ireland is in the keeping of her six hundred thousand tenant
“ farmers, and I ask them to preserve the union and organisation which have
“ already gained such great results. If they do this and persist in their refusal to
“ pay unjust rents, and in their refusal to take farms from which others have been

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[Continued.]

“ unjustly evicted, a brilliant victory and the peace and prosperity of our country
 “ will be their near and certain reward.

“ I am, Gentlemen,

“ Yours faithfully,

“ CHARLES STEWART PARNELL.”

(*Sir C. Russell.*) I am not concerned at this moment to enter into an elaborate justification of this policy, though I think I could successfully do it. What I am at present concerned upon is, to fix the attention of the Court on the central idea of this policy which Mr. Parnell is there propounding. He disclaims resort to physical force, and the keynote of the policy is this: appeal to the people of England, not to classes, but to the people of England; and he points out what again and again he afterwards, and others, pointed out that between the people of England and the Irish people there is no just cause of quarrel, or of difference, or of conflicting interests. He holds the people of England, who, in bygone days of misgovernment were not their own masters, not accountable for that past misgovernment and misrule, and he believes that by reaching the mind and enlightening the intelligence of the people of England, that it can be brought home to the masses of those people that it is the interest of England as well as the interest of Ireland that this which he describes as “ international strife for centuries ” should be ended.

My Lords, that is the policy which he has consistently pursued, which has already borne hopeful fruit; for I say that to-day the Irish and the English people are brought closer together than they have ever been in the history of the last 100 years, and that has been because they have been appealed to, because that appeal has had earnest backing by earnest men in this country, in Scotland, and in Wales; and that is the policy, the pith, the marrow, of the policy which Mr. Parnell has always pursued.

My Lords, there is one notable fact which I must mention in relation to the first visit of Mr. Parnell. He delivered during a visit that was a brief one, for the urgency of the general election recalled him to Ireland early in 1880, altogether 60 speeches, and of those 60 speeches, there is not one that the prosecution have thought right to call attention to except the Cincinnatti speech, the speech known by the name of the “ Last Link Speech ”; and in connexion with that speech the Attorney-General made a very remarkable statement. At page 221 he said:

“ But for that speech Mr. Parnell could not have stirred one single step in
 “ America.”

My Lords, the fact is that that was one of the very last speeches which he did make out of 60. The statement therefore is entirely wide of the mark. Some of those earlier speeches I will presently call your attention to.

My Lords, I do not feel called upon to utter one single word of apology, assuming that Mr. Parnell had made that speech *verbatim et literatim* as it is reported in one newspaper that he did make it. As a matter of fact it is not so reported in other newspapers, to which attention will be called, and as a matter of fact Mr. Parnell was under the impression that he was misreported in the account of that speech as it appeared in the “ Irish World.” In the local Cincinnatti papers, as I am informed, at all events, in some of them as it is reported, that phrase nowhere occurs. But, as I say, I do not intend to offer one word of apology if it had been said. Whatever Mr. Parnell’s political views are, those are not what your Lordships are trying; this is not a court constituted for trying or judging or condemning political opinion. This is a tribunal supposed to be constituted to determine aye or no whether Mr. Parnell was in direct complicity with crime. But as I have alluded to that matter I think I am justified in saying this: the Irish people have maintained, and still continue to maintain their claim to the natural right of making, in their own land, in an assembly of their own countrymen, laws which relate to their own local affairs; and if your Lordships will look at the history of every claim made in bygone times in relation to the Grattan Parliament of 1802, in relation to the O’Connell movement of 1846, in relation to the Home Rule movement of 1870, in relation to the Home Rule scheme—that great policy of reconciliation as it was called of 1886—your Lordships will find that there is no period in the history of the political movements in which the Irish people or the Irish race in that greater Ireland beyond the seas were not willing to accept that right in amity with the rest of the empire and under the crown.

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[Continued.]

My Lords, these speeches, which I desire to read fully to your Lordships, were made by Mr. Parnell during that tour. I have already given your Lordships some account of the way in which he was received. I have already shown you in the cross-examination of the man Le Caron or Beach that his statements that the audiences that he addressed and the committees who prepared his reception in every place were members of the Clan-na-Gael, or principals of the Clan-na-Gael, is entirely unfounded. Your Lordships will have further evidence about that, and you will find that politicians of all shades and opinions, politicians of all shades upon questions of Irish politics, judges, governors, mayors of towns, all joined in giving Mr. Parnell what was truly a national reception.

The three speeches to which I should desire specially to refer are one delivered on his arrival in New York, in Maddesin Square, one he delivered in Boston, and one he delivered at Congress. I will ask my friend to read passages at least from the first, although I feel reluctant to trouble your Lordships with reading the whole of it at this stage, but I will call your Lordships' attention to the mode in which Mr. Parnell was received.

I have got before me a statement of the executive committee who were appointed to make arrangements for his reception. I recognise the names of some of them as men of distinction; my knowledge, however, extends only to a small number, but your Lordships will have evidence of those who know the names to prove the fact that out of the entire number not more than eight to ten belong to what I may call, for brevity, the extreme section of the Irish American party, and the resolutions that were passed at the meeting to make arrangements, which was presided over by Dr. Maguire, who was moved to the chair on the motion of Chief Justice Alker, were in these terms. Judge Alker made a speech expressing himself in entire sympathy with the Irish land agitation, and these resolutions were adopted:—

“ Resolved—In view of the fact that a great agitation exists in Ireland for the
 “ reform of the Land Laws, that such agitation is supported by a large and
 “ important section of the people of Ireland, of whom Mr. Charles Stewart Parnell
 “ is the acknowledged leader. The subject is well worthy of earnest consideration
 “ on the part of Irish American citizens and friends of human freedom, irre-
 “ spective of nationality, in the United States. Resolved, further—That as the
 “ public press has announced that Mr. Charles Stewart Parnell is about to visit
 “ the United States to lay the case of the Irish tenant farmers; and a proposal for
 “ the reform of the system of land tenure, before the American people, with the
 “ view of securing their sympathy and support, it is the sense of this meeting that
 “ the Irish people of this city, and those who sympathised with them, should give
 “ him the opportunity he desires; that, to carry out this object a suitable public
 “ hall should be engaged for an evening hereafter to be decided upon, so that
 “ Mr. Parnell may deliver an address or lecture stating the object of his coming,
 “ the aims and purposes of the Irish National Land League, and the manner in
 “ which American sympathisers are expected to help the movement. Resolved—
 “ That an executive committee be appointed, with power to add to its members,
 “ to carry out the objects before stated, to make all necessary arrangements, and
 “ that it be requested to invite the co-operation of the Irish National, Literary,
 “ Benevolent, and Temperance Societies of New York.”

My Lords, upon his arrival Mr. Parnell was presented with an address by the Hon. J. E. Develin, a gentleman who is described to me as a Conservative in his politics, and an eminent and respectable citizen of New York; and the address, which I will now read to your Lordships, was presented to Mr. Parnell on behalf of the citizens of New York.

“ We bid you welcome to our shores, and implore: ‘God speed to your
 “ ‘mission.’ In these greetings and good wishes there is the conjoint expression of
 “ many peoples. The Irish element is our citizenship, with a characteristic pride
 “ of patriotism, give to you a heart-whole love for your manly Irishism—your
 “ unswerving devotion to Ireland’s cause. The citizens of other foreign origin,
 “ recognising no circumscription of race, religion, or region when humanity is to
 “ be sustained and the cause of justice upheld, offer you their earnest sympathies

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[Continued.]

“ in the battle for a nation’s relief, while the Americans proper, regarding your
 “ proud American descent, claim a distributive share of the honour attaching to
 “ your public career, and join in paying tribute to your private worth. On all
 “ grounds representatives of all nationalities unite in this reception.

“ It is not for us to enter into political disquisitions to-day, to trace effects to
 “ their cause, or mar the oneness of a welcoming demonstration by the intro-
 “ duction of topics which might alienate some amongst us. It is enough for our
 “ purpose that a nation is on the brink of famine through no fault of its own, and
 “ that you have come to us with the confiding endorsement of an afflicted people to
 “ plead their cause. Without entering into an examination of the landlord system of
 “ Ireland with its feudal associations and assumptions, we have sufficient matter for
 “ thought and exertion in the facts that the people are suffering in want of the bare
 “ necessities of life, that food and fuel and raiment are scant or unattainable, that
 “ famine impends, and that a recurrence of the fever graves is not an improbability,
 “ unless a generous aid interpose to arrest the progress of calamity. As we under-
 “ stand, sir, your mission is an exposition of the state of Ireland; to tell of your
 “ own knowledge of the sufferings of the poor, to invoke remedial assistance for
 “ distress in the present, and to point out the means by which that distress may
 “ not be, as heretofore, a period almost of pecunial affliction. We await with
 “ anxiety your programme of action in these regards. It is due to you, however,
 “ to say in anticipation that we repudiate the communistic complexion sought to
 “ be placed upon your movement. Your policy, sir, has preceded you. Your
 “ principles are appreciated. We hold that there is no ground for the imputation
 “ of communism in the advocacy of a people’s right to a living from the land of
 “ their birth—the land whose productiveness is the proceed of the sweat of their
 “ face, the labour of their hands, and the exercise of their skill; and your best
 “ vindication personally, sir, is that, disregarding the selfish instincts of the order
 “ to which you belong, you have thrown yourself into the peoples’ interests,
 “ holding that popular protection is paramount to class monopoly. All we can do
 “ in the present is to promise you the moral support of our sympathy—the
 “ material aid of our practical exertions here; and while we may not speak
 “ authoritatively for other states and cities, yet we have had sufficient fore-
 “ shadowings to indicate that everywhere in this great land you will meet with a
 “ reception and response worthy of the high reputation which in your person has
 “ proved the attendant on private merit and the accompaniment of patriotic
 “ worth; and to justify the hope that on your return to the land of your love and
 “ labours you will take back with you the assured respect and confidence of the
 “ free people of this free land.”

Now, my Lords, to say that that is a reception committee, that that is an address
 “bossed”—to use Le Caron’s or Beach’s expression—by this illegal secret society is
 the sheerest absurdity and the sheerest nonsense.

My Lords, at present I will only trouble you with some passages from one speech
 which it is necessary, and I think desirable, that I should at this stage read, viz., the
 first speech that Mr. Parnell made at Maddison Square, in New York, on his arrival there.

(*The President.*) What is the date?

(*Mr. Asquith.*) The 4th of January 1880.

(*Sir C. Russell.*) This is a report from the “Irish world.” Your Lordships will
 understand my friend is only going to read passages.

(*The President.*) I understand that. I suppose there are means of reference to the
 extended report?

(*Sir C. Russell.*) Yes, we have it all here.

(*Mr. Asquith.*) [*Reading:*]

* “ [I have to thank you in the first place for the kind cordiality of your
 “ reception, and I have to apologise in advance for my imperfections and to regret
 “ that the great cause which I stand here to-night to plead before the people of
 “ New York has not been entrusted to far abler and better hands. But, ladies
 “ and gentlemen, I fear not for the cause. Imperfect and inadequate as must be

* The passage in brackets was not read.

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“ the way in which I shall place it before you, I feel confident that from its great-
 “ ness and its justice, it needs no effort on my part to set it before you in such a
 “ way as to have the heartiest sympathy of this great and free nation. The
 “ American people occupy to-day a proud position in respect to this question, a
 “ position which, as one who boasts of some American blood, I feel justly proud.
 “ And I am glad when I think I may have had some moral share in directing the
 “ attention of this country to our cause. The American nation has, by common
 “ consent been made the arbitrator in this great struggle for land in Ireland.
 “ Within the last few days a most extraordinary occurrence has taken place—the
 “ landlords of Ireland, for the first time in their history, have recognised their
 “ true position as culprits, and have come before the bar of American public
 “ opinion to plead their cause as best they may. I rejoice that the pages of the
 “ ‘New York Herald’ (at this point the speaker was interrupted by a storm of
 “ hisses lasting for some minutes). He continued: There is no necessity to hiss
 “ the ‘New York Herald.’ It has certainly been indirectly of the greatest possible
 “ service to our cause. I repeat that I rejoice that its pages have been opened
 “ to the landlords’ side of the question. I rejoice that a man of great ability
 “ like Mr. Kavanagh has come forward to make the best defence he can for the
 “ accursed system that prevails in Ireland. I think people in this country will
 “ now feel an interest in a question which they could not have felt upon a more
 “ *ex parte* statement. And it is fitting that the people of America should know
 “ the very best that can be said of the landlords.] Now I wish to explain very
 “ shortly our objects in visiting this country, and I may say that the intention we
 “ originally formed has been considerably modified by the pressure of circum-
 “ stances. Originally we proposed only to address you on behalf of our political
 “ organisation, but the course of events in Ireland has culminated so rapidly—a
 “ terrible far and widespread famine is so imminent that we felt constrained to
 “ abandon our original intention, and to leave ourselves open to receive from the
 “ people of America money for the purposes of our political organisation, and
 “ also money for the relief of the pressing distress in Ireland. We propose then
 “ to form two funds, one for the relief of distress, and the other for the purely
 “ political purpose of forwarding an organisation. These funds will be kept
 “ entirely distinct, so that the donors will be afforded the opportunity of doing as
 “ they please in the matter. It has been suggested by a very influential paper in
 “ this city that we ought to devote our attention only to the relief of the distress
 “ —and that we should join the committee which has been proposed by the ‘New
 “ York Herald’—for the relief of distressed Irish landlords and the British
 “ Government in general.

“ But if we accepted the very good advice that has been so charitably extended
 “ to us in the shape of words within the last few days, I am afraid we should
 “ incur the imputation of putting the cart before the horse. (A voice: ‘The
 “ “Herald” is getting well paid.’) The cause of the present distress is an
 “ unequal and artificial system of land tenure which prevails in Ireland. The effect
 “ of that cause is, of course, the distress, and while we take care to do the best we
 “ can—and the best we can will be but little—to relieve the distress, we must
 “ also take care that we take advantage of the unexampled opportunity which is
 “ now presented to us for the purpose of sweeping away the bad system in 1847
 “ and subsequent years. When the great Irish famine took place America came
 “ forward first among the nations with unexampled liberality. But did the
 “ liberality prevent the famine? Did it prevent millions dying of starvation or
 “ the pestilence which followed? Did it prevent the banishment of many more
 “ millions? Did it prevent the scenes in Ireland in those years—the scenes on
 “ board the emigrant ships? No! No charity that can be given by America
 “ will avail to prevent Irish distress. That must be the duty of the British
 “ Government, and we must see that we shame the Government into a sense of
 “ its obligations. Where is the process of charity to end? Are we to be
 “ compelled continually every ten or twelve years to appear as mendicants
 “ before the world? Then I say to the people of this country: ‘If
 “ you wish to rescue us from that position, help us in destroying the system
 “ which brings it on.’ America subscribed, and subscribed liberally, in those

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“ years. The people of Ireland living in this country have been subscribing ever
 “ since. (A voice: ‘It all goes to the landlords.’) My friend in the crowd has
 “ anticipated me by telling you that it goes to the landlords. Yes, your hard-
 “ earned savings that you have sent with such true devotion to your fellow-
 “ countrymen over there, have gone in payment of excessive rents, and in bolster-
 “ ing up this terrible system. I said just now that we must shame the British
 “ Government into a sense of its obligations to Ireland in this matter. But I
 “ regret that they have shown their usual want of recognition of these obligations
 “ up to the present. What was the Irish Chief Secretary’s reply to those who
 “ waited upon him and urged him to establish fuel depôts throughout the wastes of
 “ Ireland? For I must explain to those who are not acquainted with Irish matters
 “ that almost all Ireland is dependent for its fuel upon the turf that is cut in the
 “ bogs. This fuel, owing to the excessive rains during the whole summer, is in a
 “ state of mud. It is entirely unfit to burn, and, in addition to the pressure of
 “ hunger, we have added the pressure of cold. Well, Mr. Lowther, when he was
 “ asked to establish fuel depôts (and I only mention this as an example of the way
 “ in which our rulers over there treat this grave question), said: ‘Oh, they have
 “ ‘fuel enough to burn bonfires in honour of the release of Mr. Davitt.’ Because
 “ a few dried, or half dried, furze bushes were lighted on the Irish hills in honour
 “ of the release of Davitt, this paltry excuse is put forward, gravely put forward,
 “ by the responsible Minister of the Crown.”

“ [(A voice exclaimed: ‘Three cheers for Davitt.’ Great cheering and
 “ tumult followed.) But if we examine the further action of the Government, we
 “ find it continually marked by the same cold neglect and indifference. The
 “ Government desired to drive the people of Ireland upon the Irish poor law
 “ system, and they have replied in answer to every appeal that they cannot
 “ interfere, and that the ordinary action of the poor law is sufficient to meet the
 “ emergency. Now it was proved in the years gone by, and it has been proved
 “ frequently since, that the Irish tenant will die in the ditch rather than enter
 “ the poor house—(applause)—and he is right. (Applause.) The Irish poor
 “ law system is the most ingenious system of all those who received from
 “ England for the purpose of slowly torturing our country to death. The ties of
 “ family are broken up. The father is separated from his children, children from
 “ their mother, the wife from her husband, and the wretched inmates of the
 “ workhouse from the day they enter are consigned to what is for many of
 “ them a living grave. ‘All who enter here abandon hope,’ might appropriately
 “ be written on the portals of every workhouse in Ireland. Now, if in 1846,
 “ before the Irish famine had commenced, the question could have been brought
 “ before the American people as it is being brought to-day, whether by
 “ one side or the other, or by both, that famine would have been
 “ impossible, for the Government would have been shamed into stopping
 “ it. But what happened? I do not wish to excite your passions by
 “ reference to the past. You know the past perfectly well. The history of
 “ the past is written in letters that will never be erased from the Irish mind.
 “ (Cries of “Never, never”! A voice: “Hardly ever.”) But we have sufficient
 “ evidence in the present for our purpose.] It is now admitted on all hands that
 “ distress is imminent, and the discussion of this question will undoubtedly force
 “ the British Government to take suitable action. Americans will come forward,
 “ as they have always come forward, and be the first to help our people nobly and
 “ generously. They must not forget the great value and benefit that is to be
 “ derived from this question, and its open discussion in the face of the nations of
 “ the world. (Applause.) But if, as we have been so frequently advised, we had
 “ allowed the present moment to go by without any attempt at organisation, we
 “ should have had a repetition of 1847 and its terrible scenes. Government
 “ neglect would have been the same as ever; the hearts of our people would have
 “ broken by physical suffering and distress. They would have become disorganised
 “ and exasperated. Evictions in multitude would have taken place. Retaliatory
 “ action would have been adopted by the exasperated masses. We should have
 “ had another ineffectual rebellion. The wild justice of revenge would have been
 “ invoked against the Irish landlords. What a contrast is there. Instead of

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“ chaos and disorganisation, the Irish people now present a remarkable spectacle.
“ Firm, confident, and self-reliant, with death literally staring them in the face,
“ they stand within the limit of the law and the Constitution, and the first to set them
“ the example of breaking the law and outstepping the Constitution has been the
“ very Government of the country which has sworn to do right. (Hisses) The
“ attention of the whole civilised world is centred upon Ireland, and very shortly
“ the merits of our question will be known in all parts.

“ We have saved the lives of the landlords, and we have saved the lives of
“ the people. (Applause.) Now I do not wish—in fact it would be impossible
“ for me, in the presence of this immense multitude—to go into many details.
“ I can only speak very generally in reference to many branches of this great
“ question; but if asked, ‘What do you propose?’ I may state generally that we
“ propose to make the occupiers of the soil its owners. (Great applause.) We
“ wish to do this with as little injury to what may be considered to be vested
“ interests as possible. No physical violence, no constitutional action is contem-
“ plated, but in my judgment what—(Two words lost in tumult). As I have
“ repeatedly said, American public opinion is one of our greatest weapons, and
“ the landlords themselves, by invoking that public opinion, have shown the very
“ high value that they place upon it. [I feel that this is a very great compliment
“ to you that the proud British aristocracy should humble itself and appear as
“ suppliants before this great democracy. (Cheers and applause.) And they have
“ put forward a gentleman—Mr. Kavanagh—(hisses)—a man of signal ability, to
“ plead their cause, and I will do him justice to say that he has been the very best
“ advocate that the circumstances admitted. (A voice: ‘Where’s his legs?’ laughter.)
“ Well, never mind his legs, or his arms, he has got a very good head. And this
“ gentleman has advanced a variety of objections to our plans. He has told us
“ that the system of ownership will entail sub-division and sub-letting, and he has
“ pointed to the old history of Ireland before the famine, when sub-division and
“ sub-letting did undoubtedly exist to a very great and evil extent, as a proof of
“ the justice of this assertion. But the circumstances, the condition of affairs that
“ we now seek to establish, is very different from that which obtained before the
“ famine. Before the famine the system of renting of land was in force, and that
“ system of renting necessitated sub-division and sub-letting. But we contem-
“ plate to replace that system by one of sale. We desire to make land free, so
“ that everybody who has money to buy it may buy as much as he needs of it.
“ Under the system of renting it is impossible to sell. The difficulty of proving
“ a title is so great under the present laws that, in the case of small holdings,
“ the cost of proving the title exceeds very frequently the purchase value of the
“ holding itself. Then, as now, the laws of entail and settlement were in full
“ force.

“ We desire to abolish the laws of entail and settlement—(applause)—which
“ prevents the natural crumbling away of properties that wise nature has ordained
“ in order to prevent the property of the world from passing into a few hands.
“ (Applause.) Local registration of land tithes, such as you have in this country,
“ should also follow, so as to make it as easy to sell a bit of land as it is to sell a
“ haystack or a bale of cotton. (Applause.)

“ Sub-division is also produced by the system of letting, but I contend that
“ no injurious sub-division would take place if we had a free system of sale
“ of land existing in Ireland. I believe that under such a system the size of the
“ farms would be regulated by natural causes; that a man would not care to buy a
“ farm which was too small for profitable cultivation, and in that way the size of
“ Irish farms would by natural causes gradually become suited to the markets,
“ the method of cultivation, and the crops grown. Then we are also told by
“ Mr. Kavanagh of the example of a proprietor who leased in perpetuity their
“ farms to fifty tenants, with the result that they passed into the hands of
“ middlemen. The same reasons that I have just explained induced that action
“ also. If you sell an estate in Ireland and sell the farms of the tenants, if
“ you have the laws of entail and settlement as they now are, if you render it im-
“ possible for a man to sell a small bit of land, save at a cost which exceeds the
“ purchase price of it, then in the course of a generation or two you would

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“ undoubtedly have those farms back in the hands of middlemen or of land-
 “ lords. We, on the contrary, desire to arrange the conditions so that they
 “ shall be suited to the great change that we contemplate, and we can point to
 “ the example of other countries, of France, and of Belgium, where land
 “ is limited as it is in Ireland, for the best example of the truth of our reasoning,
 “ and of the explanation that we lay before you. Well, those gentlemen have
 “ proceeded to make a certain statement, or rather misstatement, of a rather bare-
 “ faced character. (Hisses.)] Now, it is a common saying in legal circles over
 “ in Ireland, ‘ If you have a bad case, abuse the plaintiff’s attorney.’ And so, I
 “ suppose, Mr. Kavanagh thinks the best thing he can do is to abuse us, since he
 “ knows that his case is hopeless. We do not intend to follow his bad example in
 “ this respect. We intend to treat him with the utmost courtesy and consideration,
 “ and we hope, if possible, to induce him to come before you again in order to
 “ give us opportunities of refuting him again. He tells us that we propose to
 “ apply money raised in America to buying out the landlords. He need not be in
 “ the slightest degree uneasy, for not one cent of your money will ever go into his
 “ pockets. (Applause.) And then he goes on to say that none of it will go to the
 “ relief of distress, and that we propose to organise an armed rebellion with it.
 “ (Cheers.) Well, I have no doubt that many of my fellow-countrymen in this
 “ country would like to organise an armed rebellion. (Great cheering.) But I
 “ regret to disappoint them also—(applause)—because I must in truth and
 “ honesty tell you that, however unpopular such a statement may be, that not
 “ one cent of the money contributed and handed to us will go toward
 “ organising an armed rebellion in Ireland. (Applause.) [Well, then he
 “ goes on to say that a large majority of the land is ‘ let at a fair value,’
 “ and he cites himself and his own estate as an example of the fact. I told you
 “ just now that I did not intend to abuse Mr. Kavanagh, and I am bound to
 “ admit that during the high prices of the last few years his estate was let at a
 “ fair value, although I regret to say that he, like some other Irish landlords, has
 “ refused to grant the reasonable reduction of rent which has become necessary
 “ owing to the extraordinary fall in prices and American competition. But the
 “ fact that Mr. Kavanagh’s land was rented at a fair value, during the last few
 “ years, will not excuse the many rack-renting Irish landlords who have taken the
 “ last pound of flesh and the last drop of blood. We know too well that the
 “ majority of Irish land is high rented, and that a very large proportion of it is
 “ rack-rented; and until Mr. Kavanagh proves by statistics that this is not the
 “ case, he cannot expect to be believed in supporting the negative on such evidence.
 “ Well, then he says that rents are not made in respect to improvements made
 “ by tenants. Now I shall put one landlord against another. In refuting this
 “ I shall choose the estate of a large absentee landlord, a class who, as a rule, do not
 “ rack-rent their lands, and I shall choose the testimony of a man of Mr. Kavanagh’s
 “ own rank and proclivities, an extensive land agent in Ireland, Mr. Stuart Trench,
 “ speaking of the Barony of Farran. I wish you to recollect, gentlemen, the sup-
 “ position is that land is raised in respect to the tenant’s improvement. Speaking
 “ in his ‘ Realities of Irish Life,’ at page 68 of the Barony of Farran, in the county
 “ of Monaghan, over which he was their agent, Mr. Trench tells us that in the
 “ year 1606 this whole barony was rented for the yearly sum of 250*l.* ‘ What do
 “ ‘ you suppose is the rental of the barony to-day?’ The rental of that barony
 “ to-day is something like 80,000*l.*, and the added value of 250*l.* to 80,000*l.* is the
 “ work of the tenants. Not anything that the landlord has done has added one
 “ penny in value to this property. He hath toiled not, neither hath he spun, and
 “ is now in receipt of 90,000*l.* out of a property which, in the 250 years, has been
 “ raised by the exertions of these poor people from 250*l.* to 80,000*l.* Mr. Trench
 “ admits that this was done by the exertions of the tenants, and not those of the
 “ landlords, for he says at page 69, ‘ It was during this period that the native
 “ ‘ inhabitants, few, or even some of whom, were even displaced by the aristocratic
 “ ‘ owners of the soil, increased and multiplied to a great extent, and that the
 “ ‘ waste and wild lands were fenced and enclosed, and ultimately converted into
 “ ‘ the cultivation to meet the wants of this rapidly-increasing population, so that
 “ ‘ in the year 1847, only 74 years after the estimated value of the year 1760,

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“ ‘ the rental of the estate was raised to upwards of 40,000*l.*, while the
 “ ‘ inhabitants had increased, so that by the census of ’41 the population
 “ ‘ amounted to upward of 44,000 souls.’ Now, ladies and gentlemen, this is the
 “ process that has gone on in every estate in Ireland. The example I have chosen
 “ was under a better landlord than the majority, and yet you see that during this
 “ period the rent roll of this estate has been rolled up to this enormous amount,
 “ entirely owing to the exertions of the tenant. I think I am entitled to contend
 “ that I have proved by the mouth of Mr. Stuart Trench that Mr. Kavanagh’s
 “ assertion that rents are not raised by respect to improvements by tenants is false
 “ and utterly groundless. Now, he tells us also that capricious evictions have not
 “ taken place. Well, I say in reply to that, that your own knowledge of the
 “ history of the Irish land question suffered in your own person, experienced by
 “ yourselves, is a sufficient refutation of such a statement. (Applause.) I have
 “ now come to the close of the few observations, I am afraid rather lengthy ones,
 “ that I venture to make to you to-night. (Cries of ‘ Go on.’) There are others
 “ to speak. My honourable friend, Mr. Dillon—(great applause)—son of the late
 “ J. B. Dillon, member for the county of Tipperary, who found in ’48 a congenial
 “ home in this country during the few years that he was under the ban of British
 “ law as a prescribed felon, would also like to say a few words on this important
 “ question. I can only, in conclusion, express my conviction that the time has
 “ come when victory is about to crown the efforts of the Irish people in their
 “ struggle for land. (Applause.)]

“ The handwriting has appeared upon the wall, and though vain attempts
 “ may be made from time to time to misdirect public opinion to bolster up an
 “ expiring system, I confidently look forward to the time when the tiller of the
 “ soil in Ireland may, as in other free countries, reap the benefit of his exertions
 “ —(applause)—and hand that result down to his children, and when, instead of
 “ proscribing labour, instead of offering every inducement to the tiller of the land
 “ to allow it to remain idle and barren, the great exertion which our people have
 “ shown themselves always ready to make when they are working for themselves,
 “ and not as slaves, may be spent upon Irish land, and then I believe that one great
 “ step toward the freedom of Ireland will have been made—(applause)—that we shall
 “ have put a nail into the coffin of the system of English misrule in Ireland—
 “ (applause)—removed one great impediment to the union of all classes and religions
 “ there—(great cheers)—and that we shall have the wish of every Irish patriot in all
 “ ages realised, that the orange and green may be united—(deafening cheers,
 “ continuing for some moments)—the Protestant and the Catholic enabled to
 “ work together for the good of their country—(applause)—and no cause may
 “ exist to prevent any class of our countrymen from doing their duty by the land
 “ that has given them birth.”

(*Sir C. Russell.*) My Lords, the other two speeches to which I would wish to make reference are those that I have mentioned, but I will defer any reference to them until Mr. Parnell is himself in the box.

My Lords, I now propose to follow the story beginning with the foundation of the League in America, which took place upon the eve of the departure of Mr. Parnell. For the purpose of that foundation he sent, or caused to be sent, telegrams of invitation to a large number of representative men in America, including all shades and divisions as far as he knew them, of American opinion, advanced and conservative. Amongst others he sent one to Mr. Patrick Ford. Mr. Patrick Ford was not at the meeting. Mr. Parnell called upon him; did not see him, and I believe never has seen him—never has met him. He then left for England, and the League was founded, and had its constitution just as the Irish League had. I will now read to your Lordship that constitution.

“ TO THE IRISH RACE IN AMERICA.

“ ADDRESS OF THE COUNCIL OF THE IRISH NATIONAL LAND AND INDUSTRIAL LEAGUE, U.S.A.

“ On behalf of a famine-stricken country, and in the interests of an Irish
 “ movement which aims at removing the cause of a people’s periodic starvation,

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“ we beg to address the men of Irish blood and the people of generous sympathies
 “ throughout the United States. Our appeal is not for charity. In conjunction
 “ with the Land League in Ireland we desire that our kindred in the parent land
 “ should henceforth be free from the humiliation of a beggar’s position among
 “ nations, and that the liberal charity of this and other civilized countries should
 “ be taxed no more in their behalf.

“ Coincident with the famine which has reduced nearly a million of our
 “ people to the necessity of living during the past six months upon charity from
 “ the outside world, and with the alarming exodus of Ireland’s workers, which is
 “ once more draining her of the blood and sinew of the country, a land move-
 “ ment has sprung from the people themselves, that has for its object their emanci-
 “ pation from famine and misery, by the overthrow of the system of land laws
 “ which has proved itself the parent and conservator of both. This movement,
 “ through the intense earnestness manifested by the agricultural classes in hun-
 “ dreds of great popular demonstrations—by the orderly determination with
 “ which they have asserted their right to a better and more elevated social condi-
 “ tion, and through the able advocacy of Messrs. Parnell and Dillon, envoys of the
 “ Land League to the United States—has arrested the attention of the civilized
 “ world and won a recognition of its reasonable and just demands from the public
 “ sentiment of every enlightened community.

“ The National Land League of Ireland has been organized for the purpose
 “ of grinding this movement to success, and in order that this purpose may be
 “ achieved through means which will appeal alike to the justice and common
 “ sense of on-looking peoples, the following statement of objects and plans—parti-
 “ culars of aid required, and details of its proposed application, is placed before
 “ the public to show for what its moral support is solicited, and how the kindred
 “ race in this country can lend its powerful aid in the work, and know how that
 “ assistance is to be utilized in its accomplishment.

“ OBJECTS OF THE LEAGUE.

“ The National Land League of Ireland was formed for the following
 “ objects :—

“ *First.* To put an end to Rack-renting, Eviction, and Landlord
 “ oppression.

“ *Second.* To effect such a radical change in the Land System of Ireland
 “ as will put it in the power of every Irish farmer to become the owner, on
 “ fair terms, of the land he tills.

“ THE MEANS PROPOSED TO EFFECT THESE OBJECTS ARE :

“ (1.) Organisation amongst the people and tenant farmers for purposes of
 “ self-defence, and inculcating the absolute necessity of their refusing to take any
 “ farm from which another may be evicted, or from purchasing any cattle or
 “ goods which may be seized on for the non-payment of impossible rent.

“ (2.) The cultivation of public opinion by persistent exposure in the press,
 “ and by public meetings, of the monstrous injustice of the present system and
 “ of its ruinous results.

“ (3.) A resolute demand for the reduction of the excessive rents which have
 “ brought the Irish people to a state of starvation.

“ (4.) Temperate but firm resistance to oppression and injustice.

“ HOW THE LAND LEAGUE EXPECTS ITS SUPPORTERS IN AMERICA TO AID IT IN THIS WORK.

“ Irishmen in America can give most effectual aid :—

“ *First.* By enlightening American public opinion as to the working of the
 “ Landlord system, and by exposing through the columns of the American press,
 “ the oppressions and outrages which are practised on the tenant farmers of
 “ Ireland.

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“ *Second.*—By the immense moral influence which their support exerts on the people at home, encouraging them to be steadfast in the struggle, and not to give way to despair.

“ *Third.*—By contributing sufficient means to enable the League to carry on the movement in Ireland on such a scale as is necessary to insure success.

“ PURPOSES FOR WHICH ASSISTANCE IS ASKED FROM AMERICA.

“ Up to the present, through want of money, the League has been obliged to confine its operations chiefly to a few counties. The purposes for which funds are needed are:

“ (1st.) To enable the League to spread its organisation throughout the thirty-two counties of Ireland.

“ (2nd.) Pending the abolition of landlordism, to aid local branches of the Land League to defend in the courts such farmers as may be served with processes of ejectment, and thus enable them to obstruct such landlords as avail themselves of the poverty of the tenantry and the machinery of the law to exterminate the victims of the existing system.

“ (3rd.) To enable the League to afford protection to those who are unjustly evicted. Already the League has been obliged to undertake the support of the families of the men who were recently sentenced to imprisonment for resisting eviction in one of the famine districts, and it is now supporting evicted families.

“ (4th.) To oppose the supporters of landlordism whenever and wherever they endeavour to obtain any representative position in Ireland which would be the means of aiding them in prolonging the existence of the present land laws, and perpetuating the social degradation and misery of our people.

“ As an auxiliary to the Land League of Ireland in the work it has undertaken to accomplish, the Irish National Land and Industrial League of the United States has been organised upon an appeal from the parent body. Its objects are to render moral and material assistance to the land movement in Ireland. In the conviction that the primary purpose of that movement can be furthered, and the best interests of Ireland protected and advanced by an equal solicitude for manufacturing, mining, fishery, and commercial industries, now, and for centuries past, prostrated by deliberate and selfishly hostile English legislation, we claim it to be a duty devolving upon all earnest Irish reformers to demand for Ireland the right to regulate and protect the various interests which build up the prosperity of an industrious people upon the foundation of their country's developed resources.

“ We have therefore placed this addenda to the platform of the Land League of Ireland, and upon this programme for the social and industrial advancement of an oppressed and poverty stricken people we rest our claim to solicit the good wishes of the American people, and to ask for the earnest and organized co-operation of the Irish race in this country. No movement for political or social welfare has been initiated in Ireland for the past 50 years, which failed to obtain the sympathy and support of her exiled children here. The chances of success were never calculated in order to regulate the measure of assistance to be given. A prompt and generous help was the answer to every appeal from the Motherland, no matter what party stretched forth its hand across the Atlantic, or what enterprise aroused the national spirit of a banished people. The cumulative results of unrelinquished struggles at home, and of sustained generosity abroad, has placed the land movement in Ireland in the determined and conspicuous position it now occupies before the world. It wars only against injustice and misery, and aims at accomplishing only what is in accord with justice and reason. Its objects are the uprooting by fair and justifiable means of the system of Irish landlordism which inflicts famine, suffering, and discontent upon a people that is entitled to a share of that plenty, happiness, and contentment which every other civilized country has won and now enjoys. It is a movement which endangers no national principle, nor asks its supporters to forego any reasonable or legitimate aspiration for the future of their country. It recognizes no sectarian distinctions, and refuses no proffers of

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“ assistance from any class or any creed. It is a movement of Irishmen for
 “ Ireland and humanity, which endeavours to unite upon one platform men of all
 “ parties and religions, to work out the common good of Ireland and its people.
 “ It asks from the Irish race the material help which is essential to success, and
 “ from the civilized world the sympathy and moral support which is necessary to
 “ secure it.

“ (Signed) JAMES J. McCafferty, Lowell, Mass.,
 “ President,

“ WILLIAM PURCELL, Rochester, N.Y.,
 “ Vice-President,

“ REV. LAWRENCE WALSH, Waterbury, Conn.,
 “ Treasurer.

“ THADDENS FLANAGAN, San Francisco,

“ LAWRENCE HARMON, Peoria, Ill.,

“ JAMES GIBSON, Paterson, N.J.,

“ J. V. REDDY, Richmond, Va.,

“ P. K. WALSH, Cleveland, Ohio,

“ M. E. WALSH, Providence, R.I.,

“ MICHAEL DAVITT, New York City and Dublin,
 “ Central Secretary.

} Central
 Council.

“ Central Offices,

“ University Building,

“ Washington Square,

“ New York.”]

Those are the objects and the means proposed, and a statement of the mode of assistance expected from America, and the purposes for which that assistance was asked.

I have more than once said that in laying down this broad platform, Mr. Parnell invited the co-operation with him upon it, of men of all classes of opinion, advanced or retrograde, provided always that they were willing to come in loyally to assist for the objects, and within the means laid down in that programme.

Now, my Lords, I invite your attention to the history of the conventions held in America, weaving into that history the statements or reports which the man Beach, or Le Caron, from time to time forwarded to this country. I might summarise the effect produced, at least upon my mind by that history, and then ask your Lordships, when I have gone through it, to see whether I have untruly foreshadowed the story that that history tells. First of all it seems to me to show that this Clan-na-Gael was not in its origin, what has been designated in these libels, a murder-club, or an outrage-club; that it must have been little better than what I may call the rump of the old Fenian party, reduced in numbers, and reduced in influence, but showing unquestionably considerable activity; that at a later development of the history there is apparent the fact that a section, but as it seems to me it must have been a very insignificant section, even of the comparatively insignificant body, the Clan-na-Gael, who, in some of the proceedings of that body, or perhaps more correctly of individuals of that body, committed themselves to the dastardly and inhuman policy of dynamite.

But, it also shows (and this is the most interesting part of the story, and the part most germane to the questions that we are discussing) secret attempts, persisted in on the part of representatives of the Clan-na-Gael, to capture and control the open movement, and, as I conceive, it also shows that those attempts absolutely and entirely failed.

It further shows (and this I wish to emphasise) the difficulties in which Mr. Parnell was placed (as I do not think that any dispassionate person who has listened to this story can doubt) in carrying out the desire, which is everywhere manifested in everything he has done and in everything he has said, to keep his movement a constitutional and an open one; and to my mind it is a marvel, in view of the difficulties in which he was unquestionably placed, how absolutely free he has kept it from the suspicion of taking part in any sense as an alliance with any body, be it great or be it small, which properly can be characterised as an unconstitutional or secret organisation. I am afraid in what I shall say—I do not know that I need be afraid, but in what I shall

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say I certainly cannot avoid expressing my opinion that Mr. Le Caron has not shown himself to be by any means the important person which at first sight he seemed to be, for in the whole of this voluminous correspondence, extending over years, which he has carried on, I find no single instance of any forewarning of the authorities here of any dynamitic enterprise or attempt upon the part of any single person mentioned—not as to Gallagher, not as to Mackay, Lomasney, not a single forewarning note of any attempted dastardly enterprise of that class; and, I confess, the impression further borne in upon my mind by the consideration of these voluminous despatches to the V.C. is rather that a number of that body appear to have spent no inconsiderable time in writing very long, and what I must call rubbishy and supposed secret communications and then proceeding to tear them up again. It seems to me as if they were playing to a great extent at conspiracy rather than being engaged in any really active and dark act of conspiracy.

My Lords, the first convention of the Land League that was held, was in New York in May 1880. Of that convention, Mr. Collins, Member of Congress, and a lawyer of distinction, who was spoken of, I think, even by Beach or Le Caron as a man of eminent and undoubtedly respectable position, was the president. In relation to that convention, the “Irish World” newspaper of which your Lordships have heard so much, threw cold water upon it. They considered it was quite too tame an affair and used language with the repetition of which I will not at the moment trouble your Lordships. As I have at this part of the narration mentioned the paper, the “World,” I think it may be desirable if I at once exhaust all I have to say in reference to that paper.

It began, as I have said, and as will be proved in the course of the evidence, with throwing cold water upon the Convention of May 1880. After that date up to the month of May 1882, it was what I may call off and on friendly to the National League movement, and to Mr. Parnell and his policy; that is to say, during that period occasionally there were adverse criticisms, but on the whole it was not during that period unfriendly. During a brief period, and a very brief period, it admitted to its columns very objectionable and condemnable communications, and I think it must be stated also itself, in some of its leading articles, though it did not actively advocate a policy of dynamite, certainly did not reprehend, but indirectly encouraged such a policy. My Lords, following on the appearance of that policy you will hear from Mr. Davitt, who has been and is a friend of Mr. Patrick Ford, that he remonstrated with Mr. Patrick Ford. I may even go the length of saying denounced Mr. Patrick Ford. But after May of 1882, the “Irish World” was actively hostile to Mr. Parnell and to Mr. Parnell’s movement. It is true that it had opened its columns for contributions to the Relief Fund, and that in its columns were acknowledged, and through its agency remitted to Ireland, very large sums for Irish purposes. But after May of 1882 not one penny, as I am instructed, directly or indirectly, was received through the “Irish World.”

Now, my Lords, in reference to the part it played in collecting and in forwarding large sums of money. In view of the large figures which have been stated, is it not preposterous upon the face of it to suggest, as has been suggested, that those were the contributions of the U.B. or the V.C., or whatever is the name by which they are to be called, a body numbering as I shall show your Lordship presently by reference to one of their own circulars at a time to which I am referring, only about 14,000, and at the highest estimation at which they can be put by Beach or Le Caron, numbering from 20,000 to 30,000. No, my Lords, those were the generous offerings of honest men and women, honestly anxious to help their kinsfolk in distress in Ireland, supplemented by the generous offerings of American citizens of various nationalities, freely given, honestly given, intended to be applied to what they believed to be a good cause and which were so applied.

My Lords, in February 1883 a discussion took place in the House of Commons, in which Mr. Parnell openly disavowed any responsibility for the “Irish World,” nay, I think I may correctly say, denounced the “Irish World.” The speech has already been read. I will merely ask your Lordship to note that fact. You will see it referred to in the evidence already given.

Now one word more about the “Irish World.” I confess I was afraid when so much importance appeared to be laid upon the columns of the “Irish World,”

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that when they were finally admitted some fearful revelations would be made. I was disappointed, I was agreeably disappointed. I had frequently seen the "Irish World," that is to say, as to other Members of Parliament it was forwarded to me. I had not read it. I had frequently heard it spoken of. But now that the whole thing, the worst that can be said about it, has been laid bare, is there anything so atrocious in its columns? I need not say I am not going to excuse or say one word even in palliation of what I may call the maniacal utterances of "Transatlantic" (Mooney), or occasional articles in the "Irish World," but I must say—I think it is simple justice to Mr. Patrick Ford to say—that his paper certainly falls far short of deserving the reputation which undoubtedly those who represent the prosecution desired to fix upon it. I am reminded by my friend, and, I believe, quite correctly reminded, that up to May 1882 there is nothing in the paper which could by any fair construction be taken to amount to the advocacy of dynamite as a policy.

Your Lordships have heard a good deal about the distribution of the "Irish World" in Ireland extending over a limited period, and we have endeavoured to point out even upon the evidence as it stands that that distribution was mainly owing to the action of the gentleman who certainly held an official position in connexion with the Land League in Ireland, but who also held the position more important to be borne in mind in this regard, namely, the position of Dublin correspondent of the "Irish World"; and I am instructed to state to your Lordships that so far as regards the knowledge of every one of the leaders of the movement from Mr. Parnell to his latest colleague, not one of them believes, not one of them knows, of the expenditure of one single farthing in the distribution of the "Irish World" in Ireland.

My Lords, the speech in February 1883, to which I have adverted, but the reading of which I will not again inflict upon your Lordships, is to be found at page 3334.

The next Land League Convention was at Buffalo in January of 1881. It is not necessary that I should trouble your Lordship, I think, at any great length with reference that convention, with the exception of noticing one important point, because it bears upon and explains a reference made by Mr. John Devoy in a letter which was introduced (your Lordship may recollect it) by Le Caron or Beach in his re-examination in this court. The convener of that convention at Buffalo in January 1881 was the Rev. Lawrence Walsh, since dead, a man held, as I am instructed, in universal esteem, not merely by his own co-religionists, but by the people amongst whom he lived. He was far from being an extreme man even in political views. And the next person in importance at that convention was the Rev. T. J. Conaty, who filled the office of chairman of the Committee of Resolutions. I hope I have rightly described his position and functions, but I think substantially it was that, these apparently being the guardians of those two most important functions at gatherings of that kind. Mr. John Devoy, and men who like him had much more advanced opinions in relation to Irish politics, resented and complained of that Buffalo Convention, not because it condemned outrage, for it is true and right to say outrage had never been the policy of any section of the Fenian body properly so called. Men who called themselves Fenians undoubtedly as individuals have offended against that rule, but speaking of the Fenian body as a body, no part of its history shows that it was using crime or outrage as a means in carrying out its policy. But the ground of complaint Mr. Devoy made was that there was an attempt to give too strongly a clerical character, a sectional character, to that convention at Buffalo, and that there was what he appeared to have regarded as too much of the clerical element introduced into this which he regarded as a mundane affair.

The resolutions at that convention were in every way, at least, I submit in every way, unobjectionable. They asserted a right of agitation for the redress of Irish grievances. They condemned the action of the Government in the institution of the State prosecution which was at that time going on, or had just concluded a few days before. They united with the National League in deprecating all forms of violence. They said that while they honoured sanctity of contracts, that they could not hold a contract sacred which leaves to the industrious tenant farmer no alternative between a rack-rent and the roadside, and they thanked the American Congress for the sympathy that they had extended to Ireland. And then they put forward this, which Mr. Patrick Ford did not at all like.

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“ That while the National League of America earnestly seeks for co-operation
 “ it has never recognised and does not recognise any paper as an organ authorised
 “ to speak in its name.”

That was the fifth of the resolutions passed at that convention.

Following this in the order of time (I merely mention it here ; I have already referred to it because of its effect upon what subsequently happened), in February of 1881 Mr. Michael Davitt was arrested. He was a man widely respected both in Ireland and in America. His arrest had an ill effect, and it undoubtedly gave strength to the opponents of constitutional agitation, and weakened the hands of those in favour of that agitation.

And now, at this period, I come to the alleged interview of Mr. Parnell and Le Caron in May of 1881. Up to this time Le Carron, or Beach, has made no sign. None of these long-winded communications of the U. B. or the V. C., so far at least as we know, had been forwarded by him. He comes to England on, so far as I understand, no definite mission, and he speaks of having met Mr. O’Kelly and Mr. Parnell. Neither of those gentlemen, apparently, had he ever seen before, or has he ever had any communication with since. Mr. Parnell has endeavoured to recall, and has utterly failed to recall, either in the box or since, the appearance or the name of Mr. Le Caron. He does not desire to allege that he may not have had a conversation with Mr. Beach or Le Caron. As a matter of fact, there are few American visitors of any distinction, especially of those who take an interest in politics, who do not leave their cards upon Mr. Parnell at the House of Commons, and frequently he sees them ; and it is perfectly possible that Mr. Parnell, addressing an American visitor who was expressing an interest in American politics, did complain to such a visitor that the Fenian body in Ireland, or the remnant of the disorganised Fenian body in Ireland, was opposing the open and constitutional attempts at redress which Mr. Parnell and his party were making ; he may have pointed out (he has frequently used such language) that their strength and force came from the sympathy and support which they received from America, and that it was in the hands of the American people to frustrate the attempts which the Irish Republican Society was making in America to thwart and cross the path of constitutional agitation.

My Lords, Mr. Parnell, looking to his old career, to every act of his life and every word that has issued from his lips, most distinctly denies that he has ever said that he was a revolutionist in the sense that physical force was the only method by which the wrongs of Ireland could be redressed ; that he ever said that they had the nucleus of an ample revolutionary fund in the possession of 100,000*l.* ; that he ever gave Mr. Le Caron, or Beach, any mission to Mr. Devoy, or to Hynes, or Sullivan, or Carroll. He never held such communication with any of these persons ; never received a communication from them. It is suggested that Mr. Sullivan came from America, but Mr. Parnell never saw Mr. Sullivan, never heard that he came from America, never was told that he came from America to Mr. Egan or to anybody else upon that mission, or upon any other mission.

My Lords, before I call attention to the letter of Devoy, which is the only fragment of corroborative evidence of Le Caron’s statement, but which is entirely consistent with what I have just stated to your Lordships, let me observe upon some remarkable facts. Did Beach or Le Caron consider this an important communication ? He says he did. Who can doubt that it was important ? Here was a man about whose odious profession I will not waste breath in talking ; the state of society has something faulty in it when the employment of such men can be excused, can be defended, and can be necessary. I will not waste breath in talking of that. His life is a living lie. He is worming himself into the confidence of men (presumably honest, however mistaken in their views) only to turn it into money and betray it. But he says it was important. Most obviously it was important.

What was the attitude of the Government at that time ? Let me recall it. The attitude of the Government towards the Irish leaders was one of active, stern hostility. They would have been only too glad (and no one knows it better than Mr. Le Caron,

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or those with whom he communicated) if they could have got hold of any tangible fact which would have brought home to Mr. Parnell or to any of his colleagues complicity in enterprises beyond the law. Well, Mr. Le Caron says he took no note of this important communication. He made no report in writing of this important communication. Ah! but there is more than marks the fact that this man, upon a very slender basis has been building a lying fabric. Is it conceivable, if that communication had taken place that he (Le Caron) would not have followed it up himself? Is it conceivable that he would have gone from these shores to France, and afterwards to America, and not written (taking care that proof of his writing and his posting was forthcoming) a single line of communication committing Mr. Parnell in a way in which he could not deny it, to the communication that he had made, and to the suggestion that he should become a party to an alliance with a policy of dynamite?

I am stating, as I shall show your Lordship, much more strongly than the evidence of Le Caron warrants it, the effect of the communication, taking his own words; but I am taking it in the sense in which it has been put forward, and in which Le Caron has attempted to convey it to your Lordships, by insinuation, if not by direct words. Yet we have the admission—the damning admission—from Le Caron, that he never communicated one line to Mr. Parnell or to Mr. O’Kelly, never sought to draw them on into the meshes of this conspiracy, and that from the day that he saw them in May of 1881 until he appeared in that box he had not only never seen, but had held no communication with them.

Now, my Lords, what does he say? First of all, let me remind your Lordships that at this time it was not suggested by Le Caron that the V.C. ever was committed, if indeed as a body it at any time ever was committed, to a policy of dynamite. And the most that he has put upon Mr. Parnell is this—I use his very words—that the suggestion of Mr. Parnell was, that there was interference by the sister organisation, the I.R.B. in Ireland, with the constitutional movement, and that he (Mr. Parnell) sought the offices of Le Caron to bring the two into line. That is the expression, and the only expression, or the strongest expression, which he used.

My Lords, he proceeds to Paris. What conversation he had in Paris with Mr. Egan I know not; but it is fair to say that, as against Mr. Egan, who is not here, the letter, which is the only scrap of corroboration of this man’s story, is not inconsistent with the view of the communications of Mr. Egan having been of the same kind and character as the possible communications to which I have adverted on the part of Mr. Parnell.

I will now call your Lordships’ attention to that letter. I ought to add, by the way, that having said that Mr. Parnell had no communication with Devoy, or Hynes, or Dr. Carroll, or Mr. Sullivan in this matter, and not only that, but never having heard, as I have said, of any of these persons having visited the country, he had no communication with Mr. Egan on the same point, and he does not believe, so far as his opinion is concerned, that Mr. Egan ever committed himself to such views.

“Dear Friend, I am sorry I was obliged to leave here for New York last Saturday, and consequently did not get your letters till my return last night. They would have been sent on to me, but that I was expected to return. I am much obliged for the information you give me, and the interest you have taken in a matter that affects us all so closely. I have not heard from H. yet.”

(that is said to be Hynes).

“Yesterday I received a short note from E. urging me strongly to go over.”

(that is supposed to be Egan).

“but I did not understand for what purpose till I got your explanation. I would like to go very much if I could spare the time, and if I thought my visit would produce the effect anticipated, but I am afraid it would not; I have no authority to speak for anybody, and no man could undertake to speak for the V. C. without its consent—which it would take time to get. And none of us

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“ here could, even with the sanction of the V. C., guarantee anything for the
 “ individuals on the other side who are hostile,”
 (referring, of course, to the Fenian body).

“ but who, I feel certain, do not represent the opinion of the home organiza-
 “ tion.”

That is to say, the opposition proceeds, according to this letter, from individuals in the home organisation, but the writer thinks they do not represent the opinion of the organisation as such, but that they are merely the actions of individuals.

“ There can be no change there, till there is a change of persons, and that is
 “ sure to come in time. All I could do would be to tell E. and P.”

(Egan and Parnell)

“ On my own responsibility, what I believed would satisfy our friends here,
 “ and make propositions that I might feel morally certain would be approved of.
 “ But I would not on any consideration have them pay my expenses. That
 “ would place me in a false position at once. I have asked advice, and if certain
 “ friends of ours here think it the right thing to do, will start next Wednesday,
 “ but at present I don't think I shall be so advised. They seem to misunder-
 “ stand our dissatisfaction here. It is not with their action in Ireland, but the
 “ action they allow their friends to take *in their name* here. There is little
 “ difference of opinion about essential points, but we cannot tolerate the kind
 “ of thing begun in Buffalo.”

That is the meeting convened by the Rev. Lawrence Walsh, the second person of importance there being the Rev. Mr. Conaty. “ Please drop me a line,” and so on. Now, the first thing which is noticeable about this, and the first thing I would ask in relation to this letter is this. Assuming, as I must for the purpose of testing this letter, that Le Caron had communicated to Devoy the interview with Mr. Parnell in the sense in which he desired to convey it to your Lordships when giving his evidence, do you think that this is the letter of acknowledgment which Devoy would have written upon such a communication? Your Lordship observes that he says: “ I am much obliged for the
 “ information,” and so on. “ I have not yet heard from Hynes. Yesterday I received a
 “ short note from Egan urging me strongly to go over, but I did not understand for
 “ what purpose till I got your explanation,” and when he goes on to refer to the propo-
 sition which is apparently supposed to be made to him, he does not say it is a proposal coming from Mr. Parnell; he does not say it is a proposal coming from anybody; he leaves it perfectly open to doubt whether he is referring to something which was contained in Egan's letter, which he says gave him the key to the letter which he had received from Le Caron. But, my Lords, there are beyond this, and apart from this, circumstances much stronger than any argument that I can address to your Lordships upon the *ex facie* consideration of this letter and upon the mere comparison of that letter with the correspondence itself, and that is the action which followed upon it. According to this man's case, according to this man's suggestion, following this there was a visit from Mr. Sullivan to Paris—a visit of which Mr. Parnell will tell you he never heard and which he believes never took place; which he heard neither from Mr. Sullivan, nor from Mr. Egan, nor from anyone else, and that in the sense of Le Caron's evidence he had no communication with any of the parties named, or from Mr. Egan in relation to such communication with the parties named. According to his statement, the alliance which he suggests, was consummated at a secret convention in August of 1881. Let this be noted for its importance, cannot be exaggerated. Then he says was the occasion upon which the verbal negotiation begun with him in May 1881, culminated in the secret convention of August 1881, into an alliance, and yet, my Lords, we have got his long winded report of that convention, and his report is silent as to a single syllable of relation to this supposed contemplated alliance.

There is no resolution upon the subject, and, still more remarkable as a complete refutation of the falsity, the exaggerated falsity of the story, there is not even a report to his confiding friend, Mr. Anderson, suggesting that there was any such alliance contemplated or considered. Nay, more, my Lords, and I would ask to be allowed to finish this matter before the Court adjourns. That secret convention of August 1881

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is followed by another of these long-winded—(I hope I offend nobody by saying it ; I must say it for it is true)—these long-winded supposed secret circulars scattered over the country through the medium of the post. That circular was in September 1881. That circular in all conscience is long enough, goes into detail enough, but is utterly and absolutely silent upon the one cardinal point which your Lordships would expect to see prominent in it, if there had been such an alliance, and if any attempt were being made to give effect to it; because bear in mind this V.C. body, comparatively insignificant in numbers, was scattered over a great part of America. The convention would not represent the whole body numerically. It would only represent the heads of local sections of the body—I think the D's they were called, or captains. Therefore, to convey and impress upon the minds of its members, if they were to influence in the direction of quieting Fenian opposition and the bringing of pressure through their influence upon friends at home, it would be necessary that it should in some shape or form be communicated so that those friends might act upon the instructions or act upon the hint. But here is at page 2554 this precious circular.

Adjourned till to-morrow at 10.30.

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
PROBATE COURT, No. 1,
Thursday, 11th April 1889.

(The President.) Sir Charles, in the course of your speech the day before yesterday you quoted a passage from the evidence given by Sir Redvers Buller, and you introduced into it a statement, the effect of which I did not at the moment fully appreciate. You read a passage in which he is reported to have said, “I think there is sympathy, because they think that it has been their salvation.” You then observed yourself, “My Lords, those words were not originally so. Your Lordships will find from the context it should be, ‘It *was* their salvation’; and it has been stated publicly that that was the way that it was printed, and the next question shows it.” I have had a letter from Sir Redvers Buller. As I pointed out at the time this was not strictly evidence. I do not think it will be necessary to call Sir Redvers Buller for the purpose. He writes to me and says that is not so—that the words which he used were that they think “it is their salvation.”

(Sir C. Russell.) Of course, I accept that at once. My justification was twofold, first the fact that I had seen it stated (and I can refer your Lordship to the public statement that he had used those words originally; and next, the fact, as your Lordships will observe, that the question which the President puts following upon that statement appears to assume that the answer had been that it was their salvation.

(The President.) That is, at any rate, open to two constructions, because I observe that Sir Redvers Buller is reported to have said they believed—whatever truth there may be in it.

(Sir C. Russell.) Yes, my Lord, that is true. Of course, I at once accept the correction, and the statement of Sir Redvers Buller in the matter.

My Lords, I myself have two corrections to make, not in any statement I made, but two corrections of reports which have appeared, I am told (I have not myself had time to read them) in some of the papers. I do not know which papers. One was a statement attributed to me, which I did not make, that Mr. Parnell had visited and addressed certain camps of the V. C. or U. B. in America. That is not so.

(The President.) I do not remember that.

(Sir C. Russell.) No, I said that Mr. Davitt had done so. The further statement is that Mr. Parnell made these visits at the peril of his life. I did not state that either; nor did I state that fact in regard to Mr. Davitt at all in connexion with those visits. I referred to an entirely different thing altogether. I think your Lordships so understood me.

There is one other correction which I should be glad to be allowed to make, and that is this. I made the statement that Mr. Matthew Harris was not a gentleman who at any time might be considered as intellectually a very strong gentleman. I am told that in recent years, owing to a recent illness he has had, his faculties have been somewhat impaired, but at one time he was a man of considerable, not to say remarkable, ability, considering his education and absence of facilities in life. His friends perhaps might be hurt if I had not made that correction.

My Lords, I was asking your Lordships to consider the true weight to be given to the interview alleged to be had by Le Caron with Mr. Parnell in the spring of 1881 in London, and I was pointing out to your Lordships that even the statement of Le Caron fell short of the suggestion which it was sought to found upon his evidence, that Mr. Parnell had invited an alliance between the U. B. or V. C. (whichever it is to be called) and the home open constitutional organisation. I was endeavouring to show and will continue to endeavour to show that the account of Le Caron himself, and still

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[Continued.]

more the subsequent conduct which he pursued, and the body of which he was a member pursued, is consistent with the suggestion of what may very possibly have taken place, not in a conference or interview of three-quarters of an hour, for Mr. Parnell says he is quite sure he must have recollected it, if any such thing as that had taken place, but consistent with his observation, which he has made on more than one occasion to American visitors whom he has seen and who took an interest in Irish politics, namely, that the remnant of the Fenian body in Ireland was crossing the path and thwarting the efforts of the open Land League movement, and that, as its support mainly came from America, the people in America might exert themselves to prevent that result.

In order that your Lordships may have a full and adequate conception from the documents produced by Le Caron himself of the attitude along the whole history of the body of which he was a member, or at least professed to be a member, I must call your Lordships' attention to one of the circulars of this body in relation to the Land League movement. I take the one set out at page 2482. This long-winded circular, covering several pages, proceeds thus. This, your Lordships will observe from its date, which was April 19th, 1880, was before the interview alleged:—

“When land leagues are formed, or any other public movements are
 “organised, in which members of the V. C. can conscientiously participate, no
 “pains should be spared to secure the control of these movements or organisations
 “by members of the V. C. A few of our good men working in concert can always
 “manage to secure this control. Lest these organisations may at any time prove
 “dangerous, rather than assistants to our work, we should so secure the control
 “of their management as to be able to disband them if that should ever become
 “necessary.”

Now, I was yesterday, when the Court adjourned, calling attention to the circular which followed the secret convention of August 1881, at which secret convention of August 1881, the alliance was supposed to have been consummated. That circular was in September 1881, and is to be found at page 2554. The beginning of that circular, also very long, refers to a change in the constitution with which I need not trouble your Lordships:—

“We need, the cause needs, every member of the organisation to appreciate
 “that true devotion on the part of a revolutionist does not consist in the ability
 “to sound his own praises—”

and so on. Then it goes on to say—

“The F. C. (which is the executive body) does not mean by this that it will
 “not seek advice, or that it will not gladly, thankfully, receive suggestions. But
 “in the very nature of things, with an organisation not having 14,000 members,
 “and not having 100,000 dols. at its command, we cannot be expected to adopt
 “every suggestion made to us, nor to put in force every plan recommended to us.
 “It must also be borne in mind that we are but a part of the movement. Our
 “sister organisation, allied to us by treaty and by common hopes and purposes,
 “must of necessity be consulted before certain measures can be put in force.

Your Lordship will recollect I asked him what the meaning of the sister organisation was, (I can refer to the passage, if it is questioned) and he said it meant the home organisation or the home branch of the Fenian Brotherhood.

“Their wisdom on the scene of action has duly to be regarded. Often
 “measures which seem practicable here are deemed otherwise there. The tem-
 “porary delay in executing many of these proposals which come from us must
 “not cause us either to lose faith or patience.”

Then it goes on with a number of other matters which have nothing to do with the point I have in hand—not making a suggestion in any part of this document of any supposed alliance, which by that time, according to Le Caron, had come into operation. It then proceeds thus, after giving certain advice, with which I need not trouble your Lordships.

“Do this, and your F. C. pledge you that they will lose no time nor indulge
 “in any sentimental scruples in putting your means to use, while at the same time

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[Continued.]

“ doing nothing to forfeit the respect of the civilised world, nor to alienate the
 “ friendship of those whose friendship we need for success, as well as for the
 “ upholding of our own consciences. We will not butcher the wives and children
 “ of those by whose side we fought for liberty, and who generously gave to save
 “ us and ours from want when England intended by a repetition of her
 “ infamous '47 policy to turn a trivial failure of crops into an artificial famine
 “ which would consign millions to paupers' graves. The F. C. has no delicacy
 “ or sentimentality about how it will strike the enemy or when and where.
 “ But it would be false to the trust imposed on it if it permitted the
 “ cause of a nation to be bedraggled in the mire, and to become the com-
 “ panion of the mere faction, freebooting, and butchering schemes which disgrace
 “ the existence of peoples whom we might name. We mean war upon our
 “ enemy. We mean that war to be unsparing and unceasing. We mean it to be
 “ effective. But we also mean to win with liberty the respect of the civilised
 “ world.”

So your Lordships see two things from this circular, first of all that there is no suggestion of the supposed alliance, and next I think it strengthens the argument which I yesterday addressed to your Lordships, that up to this time at least it could not be alleged even against the Clan-na-Gael that they had made, as Le Caron or Beach suggested they had made, the use of dynamite a part of their policy. His statement was that it was at this very convention that that was inaugurated as part of their policy.

Now the next Land League Convention to which I have to refer was held in December 1881 at Chicago. Its proceedings must be referred to at some little length in the course of the evidence. I have still so much ground to traverse that I do not propose to trouble your Lordships by reading those proceedings at length, but this is noticeable in regard to that convention. The call for it as it is named in the American accounts was signed by Patrick Ford, by General P. A. Collins, and by John Boyle O'Reilly, as representing the American section of the Land League. and by Mr. T. P. O'Connor, Mr. T. M. Healy, and the Rev. Eugene Sheehy, as representing the Irish section of the Land League movement. And as regards each one of those six persons, not one, according to the admission of Le Caron himself, was a member of the U. B. or of the V. C. Patrick Ford, although he for a time made the grievous mistake of admitting to his columns references to a dynamite policy, for a short time only, I said yesterday, and I believe it is true, that he never can at any time be said to have advocated the use of dynamite as a policy. It stands admitted by Le Caron that he never was a member of this, or, so far as I know, of any other secret organisation whatever. He said in express terms, that General Collins was not; Mr. John Boyle O'Reilly (I shall have to refer your Lordships to some of his public utterances presently) never was; and neither were, I need not say, Mr. T. P. O'Connor, M.P., Mr. T. M. Healy, or the Rev. Eugene Sheehy. I am speaking, of course, of not having been members of, or connected with this V. C.

Now, my Lords, preparatory to that Convention, there was a circular from the secret body. That circular again is important. It is the 21st of November 1881, and your Lordship will find it at page 2569.

“ Dear Sir and Brothers,

“ It is the desire of the executive body, that as many members of the V. C.
 “ as can possibly attend the Irish National Convention at Chicago, November 30th
 “ 1881, will do so without entailing any expense on the organisation.

“ You will, therefore, make every effort to get the members of the V. C.
 “ elected as delegates from any Irish society that may have an existence in your
 “ neighbourhood, whether it be as representatives of the Land League club, the
 “ O. A. H., or any other organisation. The F. C. particularly desires your
 “ presence as a delegate, if it is possible for you to attend as such.”

So that your Lordship sees the V. C. having no right to send representatives in that character, being a secret organisation, working secretly, resort to the method of trying to get the persons who are at once members of the V. C., but who are also members either of the Land League clubs, or of some other open organisation, which has the

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right to send delegates, to use their machinery in order to have representation, secret, unknown representation, of this secret organisation.

My Lords, as to the Convention itself I will remind your Lordship of the state of things when it was held. It was held, I have said, in December 1881. At that time Mr. Forster's unhappy Coercion Act was in full force. About 1,000 men were in prison, including the prominent leaders of the Irish people; and as your Lordships may be prepared to expect, the speeches or addresses on that occasion were more or less excited by reason of the circumstances of that time.

My Lords, what was the view of the V. C. after the Convention? That again is shown in their secret circular of January 1882, which your Lordships will find beginning at page 2562. I am not reading, of course your Lordships will understand, all. It would be interminable. These documents are of inordinate length.

"Owing to the failure of many delegates who were V. C. men,"
that means Land League delegates—who, being Land League delegates, are also members of the V. C.

"Owing to the failure of many delegates who were V. C. men to report and register at the place designated, only 320 names were obtained. It is generally believed that there were at least 80 more in attendance at that body. It will thus be seen that the V. C. was able to send on very short notice a much larger representation to the convention than did any other organisation, and it will also be seen that by the secret concerted action of its members it was able to send this representation chiefly from other organisations."

I pause here to ask if the persons at the head of this movement were not even able themselves to identify who were the representatives of their body under the guise of Land Leaguers at this Convention, how were those who took part in the Convention to know? It then proceeds:—

"The presence of a large body of men in accord and with unmistakeable views was soon recognised by all the elements in the Convention,"
and then there is a little self-glorification.

"These strange men obtained the temporary and permanent chairs of the Convention, the secretaries of both temporary and permanent, the control of the committee on rules, permanent organisations, and resolutions."
then it proceeds on the next page:—

"Through the Convention, however, we have secured a larger audience, and the means of reaching that audience without expense to the V. C."

This question of expense occurs very frequently in these circulars. Though on power bent they had a frugal mind. It goes on:—

"A large number of the V. C. men favoured the formation of a new public organisation to supplant all the fractions now in existence,"
and then follow parenthetically rather important words of Le Caron or Beech's own. They are these:—

"Just what is on the carpet now, the success attending Chicago makes the V. C. think they can indirectly control all the organisations of the U. S.

That means the United States your Lordships of course understand. Then it proceeds:—

"It was hoped that the demand for the new organisation, urged and disseminated among the delegates, would create such a public opinion among the delegates in the Convention as would compel the leaders of rival factions to agree to surrender to the new body, as they agreed in the selection of a temporary chairman of the Convention. In this, however, there was disappointment; one gentleman, at the head of 1,000 organisations, gave notice that he would not yield to the proposed new one."

And then the note which is inserted again by Beach, or Le Caron, is important. That man who continued, and still continues, in active sympathy in connexion with the Irish American branch of the movement, was General P. A. Collins, to whom Le Caron, or

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Beach, was obliged to give an undoubtedly very high character. Another gentleman declared that though not the head of nominal organisations, he collected more money than the other.

Again, Le Caron's note is "Patrick Ford":—

"Ford would not recognise the new organisation, and would persist in having
 "no intermediate correspondent between him and the foreign treasurer. Thus,
 "had our men forced through the new organisation, the result would have been
 "but the formation of another body, not a union at all, and, in the eyes of the
 "world, the result of the great gathering would have been but the addition of one
 "more faction. The Convention finally decided to create a national committee of
 "seven, to be appointed by the chair."

Then it goes on again as to what, notwithstanding this dispute, they were to do:—

"Doubtless it can find means to teach our views, and to pave the way for a
 "period when such a public organisation can be formed by common consent, and
 "without the creation of ill-will towards the V. C., or the multiplication of factions
 "in the eyes of the world."

This, my Lords, was at a time when there was supposed to have been a completed contract of alliance.

The next Land League Convention to which I have to refer was held at Washington in April of 1882. There was, as well as I recollect, no Irish representative there. I will read the address delivered by this same General Collins, as President on that occasion. I have heard before, but I have forgotten for the moment, these proceedings were all reported in the American press at greater or less length, but in addition to that there was an official shorthand reporter, and the full volume of all the proceedings of these Conventions can be referred to and will be put in in the course of the evidence. General Collins, after some prefatory remarks, spoke thus:—

"We are here to take counsel of one another, frankly, openly, and soberly;
 "to choose new officers in place of those who have borne their part; to review
 "the past and correct its mistakes; to consider our relations with existing bodies
 "to make such changes as experience suggests in the structure of our organisa-
 "tion; to increase its efficiency and extend its scope; but first and last we are
 "here to preserve and protect the Land League on its chosen lines, and to pledge
 "ourselves anew and for ever to stand by Ireland and her trusted leaders
 "till the great battle is won. Ireland has chosen her leaders. England sees
 "it and puts them in jail. More eloquent tribute to the wisdom of her
 "choice could not be given. Ireland has chosen her policy of action; her
 "voice loudly proclaimed it till stifled by force. But that voice has found a
 "mighty echo here, where the greater Ireland is, and to those leaders and
 "that policy our fealty is dull till Ireland changes both. As fast and as far
 "as the people of Ireland go, we go—no faster, no further. Those who brave
 "evictions, persecution, ruin; those who stand in the shadow of the prison, or
 "scaffold, are the judges of the means, the time, and the work. We are
 "followers, not leaders; we are now and for all time the willing, hearty
 "auxiliaries of the Irish people in every step they take, in every effort they
 "put forth, to rid themselves of landlord robbery and English oppression. If I
 "judge the Irish people right, they seek no vengeance, but justice only. In the
 "days of their power and their warlike front they never sought to force their
 "rule upon any nation, nor their worship upon any people. They ask now
 "merely to be allowed to live and toil, and prosper in their own way, in the land
 "that God gave their fathers. By fraud, force, famine, torture, law, by all
 "means and instruments known to men and devils, England has striven for ages
 "to kill the national spirit and exterminate the race. They stole the land, and
 "tried to starve the minds of the people. But mind and spirit and race are
 "Irish still, and the land shall be Irish also."

I am reminded that I ought perhaps to read in that connexion the two resolutions which were passed. The earlier resolutions it is not necessary to read. I have no objection to read them. It would be merely adding, however, to the length of my statement. They are expressive of sympathy with the Irish movement, endorsing

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the action of the Irish Party, expressive of sympathy with Mr. Parnell and his colleagues who were then in prison, and so forth ; and then it proceeds :—

“ We are proud of the Christian forbearance of the Irish people under their dreadful exasperations ; and while exhorting every man in Ireland to continue to use his influence in preventing even the least act of violence we solemnly charge the British Government with the responsibility of all crimes and outrages of an extraordinary nature occurring since the imprisonment of the chosen leaders of an indomitable and exasperated race.

“ Resolved.—That while we do not ask the release of any citizen who has violated the just law of the land, we demand of the proper authorities not as a favour but as a right, the immediate trial or unconditional release of American citizens confined without accusation in foreign jails.”

That applies amongst others to Mr. Boyton who, as Le Caron or Beach told your Lordships, claimed to be an American citizen.

Now, my Lords, passing from that convention which was in April 1882, I pass on to the year 1883. But as I have already told you, Mr. Michael Davitt had been re-arrested in January 1883 because of a speech which he had delivered at Navan about that time, and as to which he was given the offer of release from imprisonment provided he would undertake to make no more speeches ; which he declined. There was forwarded to him in Richmond a resolution passed by some branches of the Land League Organisation in Scotland—Glasgow pressing upon him to accept that offer for his release, and pressing upon him to go to the then intended convention contemplated to be held in April of the same year 1883. One of the branches made reference to, and one reason given in the resolutions forwarded to him, was, that there was fear that in the co-operation which had then taken place of a large section of the Irish American supporters of the movement that an injudicious and wrong and condemnable policy of violence might be advocated at that convention ; and Mr. Davitt wrote a letter, which I think is a very important one, and which was published in the papers at the time. It is dated the 25th March 1883. I do not think I can unduly exaggerate the importance of this letter in view of the allegation—I hardly call it an allegation—in view of the suggestion put forward that at this particular time the party, of which the two prominent leaders were Mr. Parnell and Mr. Michael Davitt, were in alliance with the party which was advocating and acting upon a policy of dynamite. It is addressed to the same Mr. Ferguson who, during the disorganisation of the Land League in Dublin, had presided at several of the meetings in Dublin.

(*The Attorney-General.*) Where is this published ?

(*Sir C. Russell.*) It was published in the “Glasgow Herald.”

“ Richmond Prison,
March 25, 1883.

“ DEAR MR. FERGUSON,

“ IN reply to your letter of the 23rd, conveying the sense of the resolutions passed at the City Hall Meeting, I regret I cannot see my way to the adoption of the course therein recommended.

“ When principles are set up as guides in political action it is somewhat more serious a matter than you appear to think, for me to deliberately give up a right of which no power on earth is justified in depriving me without having proved me guilty before a legally constituted tribunal of having made criminal abuse of such right. Right of speech is as much a natural, and therefore an inalienable right, as the gift of breathing or seeing ; and it is as impossible for me to voluntarily surrender any right given me by nature without their Majesties Edward, James, and Charles being in any way consulted as to my title thereto (as it would be guilty of any other act of political pusill animity, the recollection of which I should have to carry in my memory for ever), merely to escape a paltry penalty that will only inconvenience me four or five months from the present.”

My Lords, with reference to the allusion to “their Majesties Edward, James, and Charles,” that related to the fact that very ancient and, as was generally supposed obsolete Act of Parliaments had been evoked for the punishment of Mr. Davitt, in reference to the offence which he was supposed to have committed.

*Preceding
allegation
concerning*

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[Continued.]

“ I recognise and fully appreciate the motives that urge yourself and friends to request me to offer bail, and I am very sorry that an insurmountable obstacle should bar the way between me and the performance of so laudable a work as that which you indicate in your letter.

“ Knowing our people in America as intimately as I do, and I can assure you there need be no fear of any action on the part of the Philadelphia Convention that will give any sanction of or encouragement to the few men who now call themselves ‘ the dynamite party.’ The vast majority of our people in America are of course, naturalized citizens, and as such, think and act, politically, as democrats, in a great democracy, more than as Irishmen. They have become trained in the idea of convention. They are accustomed to bow to the decisions of magistrates, and give to the mandate of ruling authority, thus expressed, a loyal acquiescence, which for reasons unnecessary to explain, they were not in the habit of doing while in Ireland. This change makes them more democratic, without lessening their desire to see us in Ireland, contented and prosperous, and the inevitable change that takes place in their opinions, as to how Ireland is to win these blessings, is determined by the evidence which they see everywhere around them, of the great Republic’s affairs being managed, its well respected and popular liberty guaranteed through the sole agency of the ballot box.”

Then he comes to the matter more immediately in hand.

“ The political training thus acquired must cause every rational Irish-American citizen to see at once that political agitation by means of dynamite in England is war against *democracy* of England—those who live in cities and towns that are to be operated upon by explosives—and not against England’s government, with which alone our contest is to be decided. The only conceivable outcome of such a policy, if put in practice, would be the arming of public opinion against us at all points, and the turning from a just and a moral cause the sympathy of every nation to whose shores the telegraph would flash the news of women and children being slaughtered in the name of Ireland.”

“ When, therefore, you hear of individuals in New York declaring a dynamite crusade against England, ‘ as the best and only means of freeing Ireland,’ you can take it for granted that they represent no influential section of Irish-American citizens, and can command only the services of those rare mortals who will be induced to run all the risk involved in such work, while its instigators, apostles, and generals remain in America to do *their* share of the damage to the British Empire through the columns of newspapers.

“ It is true, and I regret it exceedingly, that Patrick Ford is represented in late dispatches as having gone in with the dynamite party, and this acquisition, if really made, will lend to it a power which it could never otherwise obtain. From ‘ Spreading the Light ’ to educate, to advocating dynamite, which must destroy the movement of social reform, is an extraordinary change, indeed, in the opinions of a man who has been so strenuous a supporter of the moral force doctrine, and I can hardly believe that Patrick Ford has altogether abandoned reason for Rossa. Principles of reform, intelligently and fearlessly propagated, are far more destructive to unjust or worn out systems than dynamite, bombs which only kill individuals or knock down buildings, but do no injury to oppressive institutions ; and that man must be politically blind who cannot see that the firing of ideas of ameliorative social reform into the heads of England’s toiling millions, is infinitely more likely to hasten the solution of our own national and social problems, than will be the blowing down of houses, and the killing of innocent persons among these very millions. Any course of action on the part of Irishmen that would be calculated to consolidate thirty millions of people into a unit of deadly antagonism, against every form of Irish political movement—and perhaps of retaliation upon seven millions of our race in Ireland and Great Britain—must be the proposition of a madman. The dynamite theory is the very abnegation of mind, the surrender of reason to rage, of judgment to blind unthinking recklessness, and can only be equalled in unconscious inebility by advocating the substitution of gunpowder for coal, to hasten the process of generating steam.”

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[Continued.]

My Lords, I really must be excused for finishing this letter, although it is rather long:—

“ If, as is alleged in some interviews I have seen reported from America, dynamite is now preached as an only remedy for our political salvation, because the moral remedies of speech and open combination of the last four years have not succeeded in fully accomplishing the programme of the Land League; then the argument is as childish as the would-be amended plan of action is asinine in its sheer stupidity. Systems that have had a growth of centuries, and are still resting upon the physical force of an immense empire could not reasonably be expected to surrender to even the power of the Land League in so brief a struggle; and the importance which overlooks this fact, and proposes now the adoption of totally opposite *media* to that by which substantial progress has been made in a comparatively short period of time, betrays that want of steady undeviating perseverance on a slow but winning line of action that has been so unfortunately characteristic of all on past movements.

“ If no other argument could be adduced against a policy of violence than that of the manifest injury which has resulted from the outrages that have occurred from February 1881, to the 6th of May 1882, here in Ireland, surely that should be more than sufficient to show to the most obtuse understanding how disastrously it must inevitably work to the very cause that is now proposed to be served by an extension of its application. I have maintained, on fifty platforms in Great Britain and America, since my release from Portland, that to outrage, and outrage alone, was due the defeat and partial collapse of the Land League, and the consequent escape of landlordism—for a time—from the demoralising antagonism of a new kind of organised opposition that would have soon compelled the Irish landlords to surrender to the people.

[“ Mr. Forster has acknowledged this in language that should be committed to memory by every Irishman who means to continue in Irish politics. In his ferocious attack upon Mr. Parnell the ex-chief Secretary made use of these remarkable expressions:—‘I believe that if these terrible murders had not happened—that if there had been no other immediate outbreak somewhat similar to these (the Phoenix Park) murders—Ireland would have speedily become almost ungovernable. The people of Ireland would have thought that in fact the honourable member for Cork was governing Ireland.’

“ If, then, the result of violence in Ireland has been to cripple the power of the Land League, and to place coercion in the ascendant, what must be the logical outcome of a policy of violence in England?

“ It could have but one consequence, and one only—the complete destruction of the national movement for a generation. Any act or series of acts done in England in the name of Ireland, that would cause the entire population to become solidaire with the Government in retaliating politically for the wanton destruction of innocent people, would do more towards withholding self-government from us than a dozen of Coercion Acts like that now in force.

“ Those who do not wish to see the movement of the past four years completely ruined had better address a simple, but a very pertinent question to those who are now advocating the dynamite policy, namely—By what authority does a handful of men in New York arrogate to themselves the right of initiating such a policy, presumably in the interest of the Irish race, when ninety-nine out of every one hundred of our people throughout the world are opposed to the use of such as agency, upon every ground moral, religious, national, expedient, and political? Surely seven millions of us residing in Ireland and Great Britain are not going to stand this, to see a movement ruined which has been sanctioned by the entire Celtic race, and the lives of our kindred in England jeopardised, because a small group of men are growing tired of the struggle for independence through reform, and are desirous of striking at England for revenge. Those who fight only for revenge should be the ministers of their own principles, and face the consequences of their application, and not incite others to the doing of acts which the instigators shrink from performing. Those in America who differ from our *modus operandi* in the work we are carrying on for the country, have no shadow of a right to fling athwart the

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“ course of our movement, now in deadly grips with the Government, an independent line of action, which is as certain to paralyze all our efforts for Ireland as it will be a failure to cause any permanent injury to England; and this, I predict, will be the opinion voiced by the Convention.”]*

I will hand in the whole of the letter, but it is to the same purpose and to the same effect.

(*The Attorney-General.*) You have not finished it.

(*Sir C. Russell.*) No, I have said so. I will hand in my copy. It can all go upon the note.

Is it conceivable, my Lords, is not it the sheerest absurdity to suggest, or ask the Court to believe, that at the time this very policy of opposition to this wild, wicked scheme, suggested and adopted by the secret organisation in America, is it not absurd to suggest that at that time, the party of which Mr. Parnell and Mr. Davitt were leaders were in alliance with that very party. Why, my Lord contemporaneously with the publication by Mr. Davitt of that very document, came the speech (or almost contemporaneously) the speech of Mr. Parnell to which I have already more than once referred—I mean the speech in the House of Commons in February 1883, where he denounced Mr. Patrick Ford and his dynamite policy.

My Lord, the Philadelphia Convention, as I have said, was the next Convention; this again was preceded by a Secret circular of the Secret organisation. Your Lordships will find it at page 2578. This is not unimportant. He is first asked by—I think the Attorney-General, who is examining him—“ Did you receive, prior to that convention, “ these instructions in the earlier part of 1883; I see it is not dated, but it must have “ been either the beginning of April or before April?”—The answer is “ Yes.” Then it is read, “ Brothers, we urge upon your immediate attention the necessity of securing “ as full an attendance as possible at the convention at Philadelphia in pursuance of the “ following call.” Then the call is set out signed by Mr. Patrick Egan, James Mooney, and Michael Boland—That is the call for the Land League. I call your Lordships attention to these words.

“ [This convention presents the first grand opportunity to secure the union of “ all the elements of our race on this Continent. Shall the union so formed be “ upon a rational basis? Shall it by its character, its deliberations, and its results “ reflect credit upon our cause and advance the interests of that cause ?”]

Then it proceeds :—

“ We advise that you secure the co-operation of all societies to which you “ belong. Thus we will have representation without expense. We have no “ power to authorize the payments of expenses of delegates to the convention out “ of the Revolutionary fund, but we have no objection to any D. sending a “ delegate or delegates at the expense of the contingent fund. In many cases “ there are reputable loyal members of the V. C. who would be glad to go and pay “ their own expenses; all that class of brothers should be of course furnished “ with credentials; all brothers in attendance should report to Bro. James “ E. McDermott S.G., 404 at 1128 South 9th Street Phila. immediately upon “ arrival, and so on, showing it is still a secret movement.”

Now, my Lords, it is curious how strangely inconsistent are the statements when this supposed alliance between the Fenian movement and the open movement are supposed to have taken place—the times at which they are supposed to have taken place. The times at which they are supposed to have taken place, according to the Attorney-General in his opening dated from 1879, when Mr. Parnell went to America, because he assured your Lordship, of course upon his instructions, that unless Mr. Parnell had made the speech at Cincinnati, unless he had thrown himself, so to speak, into the arms of the remnant—for it was no more than the remnant of the once powerful Fenian body—that he could not have stirred one inch in America, and could have made no way towards gaining the support of the people. That was the Attorney-General's date. Delaney dates the alliance from the meeting in the Rotunda in Dublin in May 1880. Le Caron, or Beach, dates the alliance from the Secret Convention of August, 1881. And now, my Lords, I have got to 1883—April—and there they are speaking of “ the first opportunity for union of these organisations.”

* The passage within brackets was not read.

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My Lord, I have now to make some reference to what took place at that Convention, but the reference will not be long. The address of the President at that Convention is set out in the shorthand note, and I think it begins at page 2581. I do not trouble your Lordship with reading that speech, because it is already in, and you will refer to it. It begins as I have said, at page 2581. I understand it to be the opening address of Mr. James Mooney, and I will content myself with saying that there is nothing, so far as I can see, in the least objectionable in that speech, and the concluding sentence of it practically gives its pith. It says :

“ In Charles Stewart Parnell the Irish people have a leader whose place in
 “ history will be a proud one. England has ratified their choice by calumny and
 “ hate. It is our desire to unite with the League he has established in Ireland,
 “ that we may strengthen and support him in the labours he has undertaken :
 “ Setting aside our personal views we must work under his guidance in such a
 “ way as to best support and least embarrass him. It is our hope to see him win
 “ for Ireland Land Law Reform, Local Government, Extension of the Franchise,
 “ development of industrial interests, and if all these were won, the day would
 “ surely dawn the brighter for the realisation of the hope that would spring up in
 “ every Irish heart that under Heaven’s blessing he might still lead on to that best
 “ and highest goal of national independence.”

Then I have in relation to that meeting first to refer to the address which has not been put in, an address, my Lords, which followed in the month of May—the meeting of the Convention being in April. It is the address of the Irish National League. This, my Lord, has not been put in ; it will be put in, in the course of the evidence. It is an address from the Executive Body :—

“ Unquestionably accepting the platform of the Irish National League of
 “ Ireland, of which Charles Stewart Parnell is President, it solemnly organised
 “ the Irish National League of America, and thus inaugurated the most compact,
 “ the most cohesive, and most inspiring movement of the time for the promotion
 “ of an object at once humane and political. What object is the restoration of
 “ self-government to a people whose poverty frequently descending to famine, and
 “ always on the verge of it, is not due to the soil, but to the result of the blind
 “ viciousness of a hostile foreign power, which annually draining out naturally
 “ created capital, maintains a system of terror and lawlessness ruinous of peace
 “ and a fatal barrier in the ways of industrial and social development—”

and so on.

Then it concludes—

“ We earnestly appeal to men of our race, not members of societies, to con-
 “ scientiously consider the critical condition of their kindred in Ireland at this
 “ time. The platform of the Irish National League is one upon which all
 “ reasonable men of Irish blood can honestly stand together. Its method is one
 “ by which all can work vigorously and effectively together. Its objects are
 “ sanctioned by the highest authority, and the experience of mankind demon-
 “ strates what may be achieved by persistent determined and united effort.”

One other observation as to this convention—there were present at it, as suggested by the Attorney-General in his opening, those who have been interested as active movers in it—Sheridan, Boyton, Rossa, and Byrne. My Lords, they were spectators, not delegates ; they took no part in the proceedings. O’Donovan Rossa was discredited in the eyes of the whole of the public at the time, of all sections and of all classes. These men were present merely as spectators, and not as actors.

To that convention Mr. Parnell sent a telegram, which will be found at page 2587.

“ My presence at the opening of the most representative convention of Irish-
 “ American opinion ever assembled being impossible, owing to the necessity of
 “ my remaining here to oppose the Criminal Code Bill, which re-enacts perma-
 “ nently the worst provisions of coercion, and which, if passed, will leave
 “ constitutional movements at the mercy of the Government, I would ask you to
 “ lay my views before the convention. I would respectfully advise that your
 “ platform be so framed as to enable us to continue to accept help from America,
 “ and at the same time avoid offering a pretext to the British Government for
 “ entirely suppressing the national movement in Ireland. In this way only can

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“ unity of movement be preserved both in Ireland and America. I have perfect
 “ confidence that by prudence, moderation, and firmness, the cause of Ireland will
 “ continue to advance, and though persecution rests heavily upon us at present,
 “ before many years have passed we shall achieve these great objects for which,
 “ through many centuries our race has struggled.”

There were some 1100 delegates at the Convention, and I am instructed by those who are, from knowledge entitled to speak, that the number of those who might be said to belong to the extreme section, to the secret section of the movement, belonging to the V. C. in America, did not exceed in number at the very most some 30, to 40 or 50. My Lords, at this time the “Irish World” was in active hostility to the Land League, and it was at this time when in active hostility to the Land League that it opened the fund known in the name of the “Martyrs’ Fund,” which was a fund in relation to the support of families of persons who had taken part in the tragedy of May 1882. That fund, it is rather important to note, started about the date I have given to your Lordships, May or April, at a time that the “Irish World” was in open hostility to the Land League in Ireland. My Lords, the next Convention and the last but one, was held at Boston in August of 1884. Again we have a preliminary secret circular which your Lordships will find at page 2609.

“ We request as many brothers as possible to be elected delegates to the

“ Boston Convention of the League.”

Therefore it is clear from all these, I do not reiterate that each time, that as a body they had no right to send delegates at all, which of course, if they had been in alliance with the organisation, they would.

“ All brothers of districts A., B., C., D., E., F., G., and P. will report through
 “ one brother from each State to brother James F. Gallagher, at Hotel Eliot,
 “ 18, Eliot Street, Boston, and all brothers of Districts H., I., J., K., L., M., N., and
 “ O., will report to brother P. K. Walsh, at Hotel Le Grange, Tremont Street.
 “ Brothers Gallagher and Walsh will notify brothers where the V. C. men will
 “ meet. It attracts too much attention for all to go to one or two places to report.
 “ The going of large numbers of men to a certain room in an hotel arouses suspi-
 “ cion, therefore let the V. C. delegates from each State select a man who will
 “ report to the brothers above named—”

and so forth, showing that they were keeping as secret as they could the fact that they were endeavouring, to use Le Caron or Beach’s expression, to “capture” the League. My Lords, I see here the witness adds on page 2610 :

“ The V. C. men are hereby instructed to note down in the League Convention

“ every proposition to denounce physical force of any kind.”

That is given more connectedly in the covering letter which he sent with that circular to Anderson. That covering letter is at the bottom of page 2616.

“ August 7th, 1884.

“ A new supreme council has been elected, and will meet in Boston next week

“ for the first time. I was around to League officers ”——

It is printed here “officers,” but I fancy it means offices.

“ to secure credentials to secure round tickets for Boston at reduced fares to-day,
 “ and Sullivan told me that we had a new S. C., and that they would assume control
 “ at a meeting in B. next week. It is going to be a difficult matter to find out
 “ who they all are. I enquired if there were many charges and he said yes.
 “ I infer from what he said that he is a member of it. You may look for a
 “ beautiful fight in Boston. The V. C. are pulling the wires to control the Convention
 “ and organization the coming year, and it being known by some means to
 “ be successful will not be so easy a task as last year in Philadelphia under
 “ date of July 31st, the old F. C. have issued a document touching upon the
 “ convention——”

and so on. They had not yet apparently succeeded. My Lords, the resolutions at that convention were in no sense dangerous nor marked by any great degree of ability or of wisdom. There was certainly nothing objectionable, and nothing dangerous in them; they will be put in in the course of the evidence of this case, probably, during the evidence of Mr. Thomas Sexton, who attended and who spoke at that convention.

It was contemplated to hold a further convention, the next convention, at Chicago, in January 1886, and it was intended that Mr. Parnell, or hoped that Mr. Parnell would

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be able to attend that Convention. Again the V. C. are at work, and their secret circular is to be found at page 2632: it is dated the 10th November 1885, and begins by congratulating the members on the vigour and earnestness which they have shown. They go on to say:

“ We earnestly urge you to see to it at once that all funds subscribed are collected and forwarded to the Rev. Chas. O’Reilly, D.D., St. Patrick’s Church, Detroit, Mich., so that the reverend treasurer of the League in America can remit home at the time they stand most in need of it. It is directed that in all cases the money may be sent through Dr. O’Reilly. The next public duty devolving upon us will be the re-organisation of branches of the League and the election of delegates to its National Convention, to be held in Chicago, on the 20th January next, at which Mr. Parnell will be present. The Convention therefore must be made a great success. It would be perilous to the cause to have any failure in connexion with the visit of the leader of the public movement.”

And then they go on to say:—

“ It may be proper here to intimate to you that if our firm has not done much advertising of late, it is because of a fixed and understood policy, and it is not mere accident. We have deemed it wise, in view of the present attitude of the public affairs to keep quiet and make as little noise as possible. Our rivals have not been hurting our business much of late. Whenever they change their policy and hurt our trade they will hear from us, ‘A word to the wise.’ There is another and most important subject, concerning which we direct the attention of every member be called.”

And then, at the concluding passage, they again show the mode in which they desire to make their presence felt secretly, not as an organisation but as individuals, they say:—

“ The support and friendship as we give them should appear to be given by us as individuals, or as members of the public organisation. No one should be able to discover by any foolishly spoken words of ours, but these gentleman have a secret organisation as their friends and allies. We order imperatively that there be no toleration shown to men who cannot observe the utmost secrecy. Any member who violates this order, or shields others who violate it, must be expelled.”

And then there is a very significant note of Le Caron or Beach—your Lordships will find it immediately after that circular.

“ James Boland is well understood to be the chairman of the F. C.

“ Interest as you will note is all centred in aiding Parnell and controlling League in January.”

My Lords, I have to make an observation about this. I said that I should have to make observations, that if these things came to his knowledge will show that I did not rate the importance of Mr. Le Caron, although I think his evidence most important—that I did not rate Mr. Le Caron as high as he was disposed to rate himself. Your Lordships will observe that in relation to the last communication, the covering letter which I read, he speaks not as one who knows, but as one who suspects, in relation to Alexander Sullivan, and in relation to this he writes the first note, “ James Boland is well understood to be the Chairman of the F. C.”—that is the Executive body—so that he did not apparently know very much, except in a very imperfect and in indirect and second hand manner what was going on. Then of course I have to make a passing comment upon that matter. If it was true, as he says, that there was an alliance completed in 1881, how comes it that there is not in any one of these communications from the beginning to the end a suggestion of any such alliance, but a number of suggestions wholly inconsistent with that of an attempt on the part of the body of which he was a professing member, secretly not as an organisation, but by the action of its individual members, seeking to again influence and to control the League Convention.

My Lords, I come, I am glad to say, to the last of these conventions. That was held in Chicago in August, 1886. Again, my Lords, there was the usual preliminary private circular, which your Lordships will find on page 2640. It is, I am happy to say, short.

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“You are hereby notified that the triangle deem it essential that there shall be a large attendance of members of the U.S. as delegates at the coming convention of the Irish National League in America to be held at Chicago on the 18th August, so that there shall be no surrender of national principles in the declarations of that body. Every branch of the League in your vicinity should be represented by a member of the U.S.”

Now, my Lords, it is well to remind your Lordships of the state of things at this moment. That convention was in fact held on the 18th and 19th days of August 1886. At this time the policy of conciliation, as it has been called, had been introduced into the House of Commons by Mr. Gladstone, and had been there defeated. It is no exaggeration to say, that so far as any public indications will enable one to judge, that that scheme of conciliation was accepted by 99 per cent. of the Irish race at home, in England, and in the greater Ireland beyond the Atlantic.

We have now come, therefore, to a point at which we can judge from the proceedings at this convention of the state of things what was the attitude of the Irish race—the representatives of the Irish race—towards the Home Rule movement. What was the character of the self-government, and were those men content to end this quarrel which had been the cause of misery to Ireland and of weakness to England? Because here was an opportunity of rejoicing to that section, if it was a considerable section, who would rejoice in the trumpety scheme, as they would call it, of self-government, which this measure intended to give them, and which would strengthen the hands of the irreconcilables in America.

My Lords, I can indicate, by the published opinions of leading men, what their views and attitudes were before the convention and at the convention. Mr. John Boyle O'Reilly, the editor and proprietor of the paper which is included in the papers furnished by the “Times” as one of the papers which published incriminatory matter, and matter connected with the Land League movement in Ireland, the proprietor of the “Boston Pilot,” publishes this despatch:—

“Gladstone's speech was far ahead of his Bill. The Bill accords with English selfishness and intolerance. The speech accords with Gladstone's natural sense of justice, magnanimity, and wisdom. With all its faults Ireland can safely accept the Bill for its central boon of Home Rule. Reforms will come for constabulary, customs, duties, life legislators, and land. Gladstone will consolidate the British Empire if England follows him. He has softened Irish hatred of centuries in one day, and he has won the respect and gratitude of the Irish race. They await the issue calmly, ready to meet the hand of England in friendship, and not afraid to face more years of hatred and famine, eviction, rebellion, and expatriation. The greater loss will not be Ireland's in the end.”

What was the view of Mr. Alexander Sullivan? He says:—

“While Gladstone's Bill has faults and imperfections, many of which I hope will be struck out before its enactment, it seems on the whole to be the result of a manly and honourable desire on the part of the veteran statesman to crown his legislative career with an act as nearly approaching justice as his peculiar and embarrassing surroundings will permit. It is manifestly the duty of the Irish race throughout the world to sustain Parnell in assisting Gladstone to amend, improve, and finally to enact this Bill, which doubtless when so amended will be the best measure that can be got through Parliament.”

My Lords, what were the proceedings at the convention. We are able to call, your Lordships, witnesses who were there and took an active part in those proceedings—Mr. William O'Brien, Mr. John Redmond, Mr. Deasy, three Members of Parliament, and Mr. Davitt.

The Attorney-General has referred, your Lordships, in relation to this convention, to the speech of one Mr. Finrerty, whom I suppose I may describe as an extremist, or irreconcilable. The speech to which the Attorney-General referred—he was under a mistake in referring to it as he did—was not a speech delivered at the convention at all. It was a speech delivered at Ogden Grove. Mr. Michael Davitt also was present, and on that occasion at Ogden Grove, Mr. Davitt promptly and on the moment made the speech I am now about to refer your Lordships to. It was three days before the convention, namely the 15th of August, or published in the local paper on the 15th of

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August, and I think I am entitled from the paper which publishes it, namely the "Chicago Tribune," to read a paragraph from that, in order that your Lordships may see the sense in which this speech was taken. It says:—

" Mr. Davitt's speech at Ogden Grove was bold and prudent. It is probable that had he indulged in stronger language than he did towards England he would have drawn more applause from the multitude. But Mr. Davitt's mission is to teach rather than to please, to moderate the course of his countrymen rather than to inflame it. No good purpose could be served by violent abuse of the British Government and people."

My Lords, I read only two passages from the speech:—

" In addition to this resentment expressed by the chairman I noticed"—referring to his journeyings through America—" a feeling of revenge, while we in Ireland have to choose between wasting our energies in the fruitless policy of revenge or husbanding them in order to use them in the work of Irish independence. Now I, for one, have put on one side the policy of revenge. Most of the people in Ireland—all its leaders, at least—have done the same; and I maintain that we are right. I would rather, by patient endurance, by suffering insult, by putting up with calumny and misrepresentation, plod on through all my life, working for Irish national self-government than to gratify the natural promptings of the Irish heart to have revenge for what Ireland has suffered in the past. The fight for Irish national self-government looks perhaps different in Ireland to what it does in Chicago. It is very easy to establish an Irish Republic 3,000 miles away from Ireland by patriotic speeches. . . . We have therefore, in this contest at home, to work and strive, and, if necessary, suffer for the measure of liberty which it is possible for us to win. If, in being satisfied with less than what satisfies you we become recreant to the past history of our country, to the past achievements of Irish patriots, then we are quite willing to take the blame. . . . If men here in America choose to fight for revenge, choose to resort to retaliation for the wrongs inflicted upon them and their country, we cannot be to blame. It is England that is to blame. I must say, however, that we in Ireland believe that we can work out the destiny of our country; we can vindicate the Irish national sentiment; we can realise Irish patriotic aspirations without the aid of dynamite or any policy of that kind."

My Lords, at that convention a number of resolutions were passed, and in answer to a call from what I may term the extreme section of the assembly there, Mr. John Finnerty, who was in the gallery, but was not apparently one of the persons appointed to take part in the proceedings, came and made what might be described as a violent address. It was not to that address that the Attorney-General referred; it was to the speech at Ogden Grove, in answer to which Mr. Davitt made the reply that I have mentioned. He had scarcely sat down when Mr. Davitt came forward.

" He regretted that he had to intrude again upon their attention, but he could not, representing the men at home, as he did, with his colleagues, allow Mr. Finnerty's speech, coming, as it did, unexpectedly, to go without a few words of reply. Mr. Finnerty had travelled over the pages of Irish history, had repeated all the crimes of which England had been guilty towards Ireland, but did not go back to the Deluge and find fault with the Almighty Creator. ' But ' I find,' said Mr. Davitt, ' men who are loudest in denouncing moral force ' and speech-making are always the most prone to come forward and make ' speeches.' "

Thereupon Mr. Finnerty seems to have been very indignant, and sprang to his feet and said Mr. Davitt was insulting him, whereupon Mr. Davitt said:—

" I have not insulted Mr. Finnerty, and I am not going to be intimidated by anyone. He did not—he went on—call in question Mr. Finnerty's honesty or purpose or his loyalty and his right to express his opinions, but it would seem from his menacing attitude that he would deny him [Davitt] the right which he [Davitt] had conceded. Mr. Davitt had never boasted of what he would be willing to suffer for Ireland. Mr. Finnerty was generous enough to admit that whenever he [Davitt] had been asked to make any sacrifice for Ireland he had

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“ never hesitated in doing it. He should not hesitate in doing it to-morrow if he
 “ thought by such sacrifice he could advance the cause of Ireland. He had come
 “ come from the people of Ireland with his colleagues to represent the movement
 “ which was endeavouring by peaceful and constitutional means to work out the
 “ principal of Irish national self-government.”

Now, my Lords, what were the resolutions? The resolutions carried with one dissentient voice, and in an assembly of delegates from all parts of America, the number of delegates being, as I understand, as many as 1,200, were these:—

“ The committee reported the following resolutions, and they were adopted
 “ with but one dissentient—Mr. John Finnerty.

“ We, the delegates of the Irish National League of America in convention
 “ assembled, firmly believing in the principles of human freedom and the right of
 “ a people to frame their own laws, a right which lies at the foundation of the
 “ prosperity and greatness of this republic, and which has been advantageously
 “ extended to the colonial possessions of Great Britain, do hereby resolve :

“ 1. That we express our heartiest and most unqualified approval of
 “ national self-government for Ireland.

“ 2. That we heartily approve of the course pursued by Charles
 “ Stewart Parnell, and his Parliamentary associates in the English House of
 “ Commons ; and we renew the expression of our entire confidence in their
 “ wisdom and in their ability to achieve Home Rule in Ireland.

“ 3. That we extend our heartfelt thanks to Mr. Gladstone for his great
 “ efforts on behalf of Irish self-government, and we express our gratitude to
 “ the English, Scotch, and Welsh Democracy for the support given to
 “ the great Liberal leader and his Irish policy during the recent general
 “ elections.

“ 4. That this convention hereby returns its thanks to the American
 “ people and press for the generous support which they have given to the
 “ cause of self-government in Ireland.

“ 5. That we record our sense of the remarkable forbearance and self-
 “ restraint exercised by our people in Ireland in the face of the cruel and
 “ dishonest system of extortion to which they are being subjected by rack-
 “ renting landlords.

“ 6. That we thank the president, secretary, and treasurer of the Irish
 “ National League, for the able and efficient manner in which they have
 “ discharged the arduous duties of their respective stations.

“ 7. That the following cablegram be forwarded in the name of the
 “ chairman of the convention to Mr. Charles Stewart Parnell :—‘ Delegates of
 “ ‘ the Irish National Convention of America send greetings from our body,
 “ ‘ which embraces representatives from every state and territory in the
 “ ‘ Union, and also from Canada, and assure you of a cordial endorsement of
 “ ‘ your policy by a united and harmonious convention.’ ”

My Lords, I ought to read, I think, one other, and one other thing only, in relation to this convention, and that is a portion of the speech of Mr. John Redmond. He was invited to address the convention.

“ The principle embodied in the Irish movement of to-day is just the same
 “ principle which was the soul of every Irish movement for the last seven
 “ centuries—the principle of rebellion against the rule of strangers. The
 “ principle which Owen Roe O’Neil indicated at Benburb, which animated Tone
 “ and Fitzgerald, and to which Emmett sacrificed a stainless life. Let no man
 “ desecrate that principle by giving it the ignoble name of hatred of England.
 “ Race hatred is, at best, an unreasoning passion. I, for one, believe in the
 “ brotherhood of nations ; and bitter as the memory is of past wrongs and present
 “ injustice inflicted upon our people by our alien rulers, I assert the principle
 “ underlying our movement is not the principle of revenge for the past, but of
 “ justice for the future.”

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Then having enlarged somewhat eloquently upon the same theme, he proceeds:—

“ But consistently with that principle, we believe it is possible to bring about
 “ a settlement honourable to England and Ireland alike; whereby the wrongs and
 “ miseries of the past may be forgotten; whereby the chapter of English wrongs,
 “ and of Irish resistance, may be closed; and whereby a future of freedom and of
 “ amity between the two nations may be inaugurated.”

Now, my Lords, I have come to the end of this story; and let me take first the point in relation to Le Caron, and summarise the grounds upon which I ask your Lordships to come to the conclusion, that upon a very narrow basis indeed, Le Caron has sought to build a story, to make an imputation which is unfounded.

Let me remind your Lordships before I sum up these points that upon the occasion of this interview in London it is not suggested that Beach or Le Caron was known or his position known either to Mr. O’Kelly or to Mr. Parnell, or that he was introduced, or introduced himself, to either one or the other as a member, or a professing member, of any secret organisation whatever. On the contrary, seeing the drift of the questions that were being put to him, he answered me in the way that I am now about to call your Lordships’ attention to at page 2722. This is in the course of my cross-examination.

“ Beyond the introduction of you as a friend from America, was there
 “ anything more said about you on any of those occasions?—(A.) To whom?
 “ (Q.) To anybody?—(A.) I could not tell you that. (Q.) I am speaking of what
 “ you heard yourself; beyond your introduction as a friend from America, was
 “ there anything else in your hearing said about you by Mr. Egan to Parnell, or
 “ by Mr. O’Kelly to Mr. Parnell?—(A.) In complimentary terms I was spoken
 “ of; in substance it would mean ‘one of our friends from America.’ Nothing
 “ connecting me with any revolutionary organisation, if that is what you desire
 “ to get.”

Now, my Lords, let me sum up these points. That was his introduction. He alleges that he considered this conversation important; yet he makes no written report of it; and he makes no memorandum of it. He does not write to Mr. Parnell in any way following it up, because he says Mr. Egan told him to write to him (Mr. Egan), but strange to say we have no copies of letters purporting to have been written by Beach or Le Caron to Egan, or any letter purporting to have been written from Mr. Egan to Beach or Le Caron. He suggests that he was asked to see several persons. He does not tell us whether he did see those persons, or he does not tell us, having seen those persons, how he communicated with them, or how they communicated with him, except in the case of Devoy, whose letter I have already read to your Lordships. There is no mention in any communication to Anderson of anything that he has done upon the basis of this supposed mandate from Mr. Parnell. There is no attempt to draw Mr. Parnell on in a way which would in any way commit him, which I should have thought your Lordships would have considered a necessary consequence of this interview, recollecting the infamous part that Le Caron was undoubtedly playing. But the crushing, conclusive argument against the story, which I will not say he tells, but which he suggests as an inference to be drawn from the story he tells, is the history which I have now gone into, I believe thoroughly, in which I show your Lordships that, from the beginning to the end of the history of the action of the secret organisation in addressing its circulars to its members on the eve of the convention, there is no suggestion of any such alliance, but there is the constant, persistent effort that is part of our case, an effort which proved to be unsuccessful; and at the Chicago Convention of 1886 the attempt is shown to have utterly collapsed, to get hold of, to capture, to control, to manipulate, the open Land League organisation.

But, my Lords, this story shows more. It shows that there were consistent and persistent attempts to get hold of and to control the organisation, always by the members of that organisation as individuals, and not by any collective action; always under secret cover, always under injunction, that they are not to allow their action to be known or to be apparent. And I do ask in all reason, if that was the course which they pursued, is it not inconsistent with the statement made by Le Caron, and does it not show how impossible it was to those who desired to keep free from any injurious contact or association with such a secret society, to distinguish or to know

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who were the particular delegates and in what character they were sent to these conventions. It shows an attempt made, but it also records the failure of that attempt, to control this organisation; and I say that, looking to all the circumstances of the case, it is marvellous that Mr. Parnell has in the whole course of his public conduct, and in the carrying out of his policy, in face of the enormous difficulties which the existence in Ireland and in America of these secret organisations, crossing his path, placed in his way, has been able to keep both branches of the movement free from that dangerous association as he has done. My Lords, I pass from that which may be called the American part of the case.

And now, my Lords, I come to the part which may be properly described as the history of the Invincible conspiracy, coupled with the history of the forged letters. I couple those two together, because, while I believe that but for those forged letters, these libels would never have appeared, I am still more certain that, but for the possession of these letters, the suggestion of any complicity, foreknowledge, or subsequent condonation of the doings of the Invincible conspiracy never would have been made against either Mr. Parnell, Mr. Patrick Egan, or any of his leading associates.

Now, my Lords, let me see what is the evidence as to this conspiracy. I will run over it very lightly. I have had, again and again, to recur to it incidentally, and I think that the main thread of its story is now in your Lordship's hands. The witnesses who speak to this are the two informers, Delaney the convict, and Farragher, and Le Caron. Le Caron's evidence on this head being, I think, of no very considerable importance. In order that I may fully meet it, I desire to state fully the evidence, even as it stands. and I do not need to remind your Lordships that when dealing with this, and arguing upon the supposition that this account is true, I am not admitting it to be proved. I am taking the account, for the present purpose, as that account stands, pointing out, of course, at particular points, the reasons why I say that story is utterly unreliable. Delaney was the principal witness; in fact, I might say the only important witness on this part of the case. He says that the Invincible conspiracy, so far as his knowledge goes, began or was introduced into Dublin at the end of 1881. Your Lordship will find the evidence at pages 1856 to 1859 upon this point. He, at a later date, fixed the end of October 1881, and he said that the persons who introduced it into Dublin were the American, Captain McCafferty Tynan, known as Number 1, J. Walsh, and Sheridan, whom he described as the committee.

(*The President.*) With regard to the Walshes, will you be kind enough to designate them by some other means than by their surnames?

(*Sir C. Russell.*) That is the Middlesborough Walsh. I so understand it to be.

(*The President.*) Very well. You will be kind enough to distinguish them, if you can.

(*Sir C. Russell.*) I am dealing, of course, with Delaney's allegations. So far as I am aware, there is no other reference to any implication of that Walsh of Middlesborough in relation to this except Delaney's. If I am wrong I would be glad to be set right. I am not sure whether there was not a reference to him by Mulqueeny, but none, I think, directly implicating him in this way. He merely showed that he was a close friend of Byrne's; but I do not think there was any evidence upon that point. McCafferty, from America, was apparently the head of the committee. Then he proceeds to say that a Dublin committee was formed, consisting of Carey, Mullett, Curley, and one Edward McCaffrey, and that other members were James Mullett, his brother, Dan Delaney, Brady, Fagan, two Hanlons, F. Byrne, and Boland, and then he proceeded to say, and it is notable in testing the reliability of this man's evidence, that Egan and Brennan were the principal leaders. Your Lordships will find that remarkable expression at page 1856.

Now, my Lords, in this connexion, starting with the statement that this idea was first broached in the end of 1881, or, taking the date that was subsequently suggested, of October 1881, let me point out to you, with reference to facts which are not in dispute, how lying (I must call it so) was this statement. Brennan, whom he declares to have been one of the principal leaders, was arrested as a suspect under Mr. Forster's Coercion Act on the 23rd May 1881, and was not released until the 16th June 1882, after the Phoenix Park Murders had been accomplished. They took place, your Lordship will recollect, in the month of May 1882. Mr. Egan had gone to Paris, believing

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that consequent upon the arrest of Davitt there was a design to attack the executive of the League in Dublin. He went to Paris in February of 1881, and he continued in Paris until August of 1882. I have already said to your Lordships, I believe, but I am not quite certain, that on one or two occasions he visited Dublin, but only for a day during the interval. Then Delaney proceeds. Boyton was represented to be one of the Invincibles. They were all fenians except Boyton. They got large sums of money; and then he uses, at page 1859, this kind of vague and loose language: the money came from the Land League, or from Egan, from Byrne, or from Tynan. But the only occasion on which he saw money was an occasion which he fixes as in August of 1882. I am not sure that he fixes the exact date. He refers to it at page 1863. I hope I am not mistaken in this. Your Lordships are all familiar with the evidence. But at page 1863 he fixes that occasion as the only occasion on which, he says, coming into the room he saw money on the table, Byrne being there. He fixes that as August of 1882; that is to say, three months after the perpetration of the horrible murders in the Phoenix Park. That is the date he gives.

Now, my Lords, I turn to this man's cross-examination at page 1873. He is an old criminal; but he must have been a very young man, little more than a lad, in 1870, when he was convicted of what must have been a highway robbery of a serious kind, and sentenced to five years penal servitude for it. As your Lordships of course know, he was, in January 1883, tried for his participation in the Phoenix Park murders and sentenced to ten years' penal servitude; but when he is further cross-examined let me ask your Lordships to note, in view of his broad statements as to the participation of Egan, Brennan, and Sheridan, that at page he says he never saw Egan to speak to since the 30th April 1880; that is to say the year before there was even a suggestion of this Invincible conspiracy. He goes on then to say that he never saw Brennan since the day of Davitt's arrest. That was in February 1881. Then he goes on to say that he never saw Sheridan since his (Sheridan's) arrest under the Coercion Act of 1881, and never spoke to him. The date of Sheridan's arrest was the 15th of March 1881. The only time he saw money was the occasion I have already referred to. He never saw and never knew Boyton until one day, when he pointed out a Mr. Burke—not the Mr. Burke who was murdered, but a Mr. Burke who was, I think he said, chairman of the Prison's Board.

Then, my Lords, there is Farragher's evidence. Farragher's evidence is still vaguer. He says he saw Egan 10 or 12 times at Mullett's public-house (pages 2026–2063), and that he took two letters from Egan to Mullett in which there was money. He is pressed as to time, circumstance, and date, but is vague; and the nearest approach to a date that he gives is about July or September 1881.

The next witness is Le Caron. I have already referred to his evidence, and I do not wish to dwell upon it. He also states that he saw Mr. Patrick Egan many times at the Land League offices in Dublin at a time when you will hear from the witnesses that he was not there at all but was in fact in Paris. He may have been there once or twice, as I told your Lordships. Your Lordships will hear about that. Le Caron has nothing to say which bears directly upon this point. The only reference Le Caron makes is that remarkable one which, upon the doctrine of conspiracy, he was permitted to give: the statement of what Egan told him as to what Brennan is alleged to have told him.

(*The President.*) You have several times alluded to that. He was only allowed to give evidence of a conversation with a person charged. The fact that in that conversation other persons were referred to has nothing to do with the doctrine of conspiracy.

(*Sir C. Russell.*) I am sorry I have alluded to it too often. It was only for the purpose of showing that, except upon the doctrine of conspiracy, the conversation would not have been admissible at all.

(*The President.*) At the time I pointed out it was not evidence.

(*Sir C. Russell.*) I quite agree; it is not evidence. Therefore, perhaps, I should be taking the better course in not referring to it at all; but of course your Lordships, in view of the introduction of Mr. Thomas Sexton's name in connexion with the story, will expect Mr. Sexton to be called.

(*The President.*) I only desired to guard against your regarding it as a grievance.

(*Sir C. Russell.*) I do not regard it as a grievance at all.

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Then there is the evidence of Mulqueeny (p. 3592), which only points to the connexion—the close connexion, I will even put it—between Byrne and Walsh, of Middlesboro.’ I use that name to earmark him. That connexion would not be remarkable in the eyes of any of the persons who were taking part in the organisation in England, because Byrne, in his character of secretary of that branch of the organisation in England, would have had to do with the appointment of organisers; and there is not the least doubt that Walsh was officially employed and paid for his work in that regard.

Now I need not repeat what I have said as to the character of Delaney as told by himself, and as to the little dependence that can in justice or fairness be placed upon the evidence of a man with such antecedents, and how still less dependence can be placed upon it in view of the circumstances under which he comes forward to give his evidence. He is approached in prison by an agent representing the prosecution, who approaches him in the character of a friend paying him a friendly visit. He makes a statement, and upon what justification that course of proceeding rests I know not, but Delaney swears that by Shannon he was sworn to the truth of the statement. My Lords, can it be doubted that if the man Delaney was wicked enough to contemplate such a thing, he had inducement enough to come and tell the most formidable story that he could, in order that he might have some reasonable grounds for hoping that his prison doors would open for him before the full period of his sentence had expired.

My Lord, there are some remarkable features to which attention must be called in relation to this part of the story. We know, or if we did not know, we have a right to assume that every effort would be made to get corroboration of, and support for this story of Delaney’s, if corroboration was forthcoming from any quarter. As to the story of such a man, if this were a criminal trial, as it is in substance, but a criminal trial entailing penal consequences, the judge would advise the jury not to act upon such tainted evidence which had not been substantially corroborated. There are means for such corroboration, although I admit the sources from which it might be drawn are tainted. What are they? I told your Lordship the other day that this Invincible conspiracy, so far as information and evidence extend, numbered in Dublin somewhere about 30 persons. Of those 30 persons, five have paid the penalty of their lives for their crimes. They are Joseph Brady, Thomas McCaffrey, Timothy Kelly, Daniel Curley, Michael Fagan. Those are the men who paid the penalty of their lives, but in addition to those my Lords, there were these: First of all, there was Joseph Hanlon, who turned approver at the trial; there was Edward O’Brien, who was sentenced to ten years’ penal servitude; there was Edward McCaffrey, who was sentenced to ten years’ penal servitude; there was Joseph Mullett, sentenced to penal servitude for life; William Moroney, ten years’ penal servitude; Laurence Hanlon, penal servitude for life; Daniel Delaney, brother of Patrick Delaney, I believe, penal servitude for life; George Smith, ten years’ penal servitude; James Fitzharris, penal servitude for life. How comes it that these men, or some of them, gross criminals though they be, if they could support this story of Delaney, are not forthcoming? Because I am entitled to assume, criminals and convicts though they be, they are not prepared to add to the list of their offences the crime of infamous perjury.

My Lords, I have a much stronger argument to suggest even than is founded upon the absence of this corroboration. Your Lordships recollect that one of the first informers was that wretched creature James Carey. Another was Delaney, called into the box. Those men must have been willing to make any effort to save their lives. Carey showed that he was. They knew, as well as your Lordships now know, the attitude which the Government at that time held towards the public movement in Ireland, and towards the leaders of that public movement in Ireland. It would have been to the public mind the clearest and the most conclusive justification of their policy if they could have had, even from the lips of these men, a suggestion of complicity by any of the leaders of the movement—a reliable, tangible suggestion of any complicity in it.

My Lords, there is none. The evidence of Carey has been referred to—a man whose whole career of deceit and hypocrisy, certainly would have made him at least a willing agent in any such work as that; the most that can be extorted from him is the suggestion when the question is asked in reference to the money which these men had that some

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said—McCaffrey, I think it was—that it came from America, and some said that it might come from the Land League.

My Lords, in view of the condition of things then, I say that the absence of any such accusation or suggestion of accusation by these men, whose lives were in peril, but whose lives and whose liberties might have been secured to them by giving information—the fact that no such information was forthcoming is the strongest proof that can be adduced of the innocence of those leaders whom we are here representing, and of the organisation of which they were the head, of any criminal complicity in the evil actions and designs of this limited number of desperate and reckless men.

My, Lords, I have again to remind your Lordships that, although in the excited state of public feeling in Ireland, pervading all classes in Ireland from the highest to the lowest, it would have taken a much smaller amount of evidence to have justified a true bill, yet no true bill was found, or, as far as I know, sent up against either Egan, or Brennan, or Boyton. I have not yet seen the warrant which is said to have been issued, or on the point of being issued, against Egan.

The conclusion, therefore, to which, at this part of the case, I have to invite your Lordships, and to which, I think, your Lordships will readily and willingly come, is, that there is upon this evidence nothing which can justify any candid, reasoning, impartial mind, in suggesting that upon any of the leaders of the movement, or upon the organisation itself, there rests the shadow of an imputation of complicity, by foreknowledge or by subsequent condonation in this conduct. Of course, I say this always apart from the question of the forged letters which, I say, was the foundation for the whole of this part of the case.

And now, my Lords, I come to the consideration of the question of the letters. My Lords, I ask this question. Has there ever been revealed in a court of justice a tale of such serious calumny, put forward with such recklessness, I might almost say criminal negligence, as this story of the forged letters? I cannot recall one. Not only has it been put forward, but, in the face of public denial, persisted in—rancorously persisted in—and even when fully exposed, absolutely discredited and collapsed, even then there is not that generous disclaimer, that absolute and complete withdrawal which, as an act of common justice and common charity, ought to have proceeded from those who had launched these infamous accusations. I do not wish the application of my words to be in any sense misunderstood. I have to say, and have said, many hard things of the “Times.” I am not going to suggest that they believed that these were forged when they put them forward, but I am going to suggest that they put them forward utterly careless, utterly reckless, and omitting to take any of those precautions which in so serious a matter it would have been their first duty to take. Nor do I wish to be misunderstood in the application of my language as to the withdrawal of those letters. The Attorney-General has stated (and of course I accept his statement) that he went to the very verge of his duty in the language which he used, carefully written out upon the occasion of that withdrawal. I am willing to believe that if he had had a free hand in the matter he would have spoken more generously and more freely, and that it was only the strict line of duty which was laid down for him by those who instructed him that caused that cramped, that narrow, that grudging withdrawal, and the terms in which the withdrawal was conveyed.

My Lords, I wish to make in this connexion one observation which I conceive to be of great moment. Many people—aye, people of honest minds—have been inclined to believe in the genuineness of these letters, because of the action, or perhaps more correctly, it may be called the inaction of Mr. Parnell himself in regard to them. My Lords, those who think that may think it, not unnaturally, who do not know Mr. Parnell. From the first he has cared and busied himself very little about the question of proving and establishing before your Lordships the falsity and forgery of these letters. What he has cared for, what he cares for now, is the unmasking of what he believes to be the foul plot and conspiracy which led to their manufacture, and if it be within your Lordships’ functions to aid him he will invoke that aid before this inquiry is closed. And if it be not within your Lordships’ functions to aid him, he will pursue that inquiry perseveringly and relentlessly until he exposes it.

But my Lords, if there be men who have founded an opinion or a suspicion in relation to the genuineness of these letters, because of the course Mr. Parnell pursued, let me point out to your Lordships how thoroughly events have justified the course he

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pursued. He is a man of great self-control, passive, self-contained. What would have happened if he had, upon the publication of these letters, gone into a court of justice and charged as a libel the publication of these forgeries? That which happened in the case of *O'Donnell v. Walter*, which is recorded in the Blue Book before your Lordships. He would have gone into his box; he would have given his testimony to the forgeries; he would have supported his evidence by the evidence of such experts as he could call. He would be cross-examined, ably, properly cross-examined. He would be asked how it came that instead of challenging the whole field and area of these libels, he had restricted it to the question of the forgeries; and his answer that he so restricted it because that brought up for decision a narrow and definite issue, and kept that narrow and definite issue free from the complication arising over discussion of popular political movements, would not have been accepted by those who put the questions, or probably by the jury who heard it as wholly satisfactory; and then when his case was closed the turn of the Attorney-General would have come, and he would have used in that case the language which he did use in *O'Donnell v. Walter*, and which is in the volume before your Lordships. At page 91 the Attorney-General was instructed to say:—

“ You will find that that ”

(referring to one of these letters),

“ and other documents were in their ”

(that is the “ Times ”)

“ possession for a considerable time, for many months while most careful investigation was being made as to whether or not they were genuine documents, and you will be told the means which they took to investigate them, the comparisons they were able to make, and which you will be able to make. The question is, is that particular document (and that is not by any means the only document) a genuine document or not? I mean was it signed by Charles Stewart Parnell, or was it not? It is utterly immaterial where it came from. Now the statement made by Mr. Ruegg was this: ‘ I shall want to know what proof they have in the face of the positive denial upon oath of the person to whom the letter is attributed that he wrote that letter.’ Of course, gentlemen, we shall wait and see what that denial is. ‘ We shall want to know where they got it, and you will want to know from whom they got it, that you may test its value.’ Gentlemen,”

says the Attorney-General, addressing the jury,

“ You do not want to know from whom they got it, or for what purpose they got it. Why do they want to know it? Who are behind Mr. Ruegg in this matter? The men who were undoubtedly connected with the Land League organisation—the men who had been undoubtedly connected with the worst form, it may be, of the organisation, by which I mean the American section—the Link Battalion as it has been called—the American Branch—the Invincibles who were capable, on my learned friend’s own admission, of the monstrous and iniquitous crimes that were perpetrated in the autumn of 1881.”

Then he goes on—

“ Many of those men are still in existence. Those who are behind my friend know well that the days of danger from dynamite and assassination are not over. and, cost what it may to the ‘ Times,’ although they will put before you the proof of the grounds upon which they believed them to be genuine, they will not expose one of the several persons from whom those documents were obtained at a risk, which they know to be a real risk, that many hours would not elapse from the time of their names being given, and returning to their vocations, before they would be in actual and positive danger to their lives. Gentlemen, you will not care who the people are. You will test the documents—we invite you to do so by every means in your power which are open to you, and open to everyone who has to decide the issue whether the documents are genuine, and if you are satisfied that the documents are genuine you will not care from whom they come, or what was the hand that put it in the power of the ‘ Times ’ to disclose them. They ought to care, and, I believe, you will care for what the fate of those men would be if the documents being genuine, they have disclosed them, and I say here the ‘ Times ’ are fully aware of the

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“ responsibility they take. They will put before you such evidence as they can,
 “ and all the evidence they can to prove the letters to be genuine, but they will
 “ not, whatever may be the effect upon your judgment, disclose for one single
 “ instant, or by the slightest hint, the name of the person from whom they got
 “ them, because it is not material, and it is in no sense necessary in order that
 “ you should come to a judgment in determining whether these documents are
 “ genuine. The question is, are they genuine—who wrote them, and who signed
 “ them, and not whether they were obtained from this man or that man, or by
 “ what means they were put into the custody of the ‘Times.’”

And then, my Lords, at page 97 he refers to the same matter. Referring to the letter, he says :—

“ It is an incident, and an incident only, in this case, but of course a most
 “ important one. Let me say this to you, and I repeat it to you, that though it
 “ cost the ‘Times’ this verdict, the ‘Times’ will not state by whom,”
 and I ask your attention to these words—

“ whether confederate or not of Charles Stewart Parnell, that letter was handed
 “ over to them, and it is not right, knowing what has happened in the last few
 “ years—aye, within the last few months—that any such request should be
 “ made.”

Was the Attorney-General instructed—I am sure he would not have made it without instructions—was it suggested to him that these letters had been handed over by a confederate of Mr. Parnell. If he was so instructed, upon what authority? Who so instructed him?

My Lords, the case would then have gone to the jury, after the expert evidence had been given. Mr. Parnell would not have got to that point in this inquiry, which he is determined if he can to get to, the story that lies, as he believes, behind Houston and behind Pigott. He does not believe that Houston, a quondam reporter—a respectable occupation, and I am not saying it by way of contumely of him—Houston, a quondam reporter on Dublin newspapers, afterwards promoted to the office of secretary of the Loyal and Patriotic Union—he does not believe that Mr. Houston adventured on this enterprise, involving, as it turns out, the expenditure of thousands of pounds, in his own character of a private person. He does not believe that Professor Maguire, who unhappily cannot now be called, was in a position to advance, or did advance of his own money, a sum of nearly a thousand pounds. He does believe that these gentlemen, one and all, were members of that association, and, if his information is right, members of the finance committee of that association: and that it was from that body, representing the landed interests of Ireland, a class which, because of the conduct and the policy of Mr. Parnell, has been arrayed in active hostility against him in his public life—aye, and has been backing up the “Times” in this inquiry—it is because of that that he declines to believe the story put forward by Mr. Houston, which he desires and intends to sift here or elsewhere, or both, to the bottom.

My Lords, let me follow this story. In the autumn of 1885 Mr. Houston goes to visit Richard Pigott. Mr. Houston is himself an Irishman, or the son of an Irishman—an Irish prison official in Ireland, as I am informed. He had lived his life, so far as we know it, in Dublin. He had been conversant with political matters in Dublin, because his occupation had been, as I have said, as reporter upon several papers. He must have known the story of Richard Pigott, for the whole world of Ireland knew it. Your Lordships may not be aware of the fact that at the very time that the forged letter, known as the fac-simile letter, appeared, there appeared in a London newspaper, the paper called “Truth,” the statement, that it was suspected that this letter was not one written by Mr. Parnell, but to which his name had been got for some other purpose. It was suspected and believed that it was a forgery proceeding from Richard Pigott—that, my Lords, at the very time the publication appeared—known to all the world; known, of course, to the proprietors of the “Times”; known, of course, to those who instruct my learned friends.

Well, my Lords, Houston approaches Pigott. I do not want to say more of that wretched man than is unavoidable. I am sure I do not know upon whom the greater burthen of moral guilt rests in this matter. It is to be said of this wretched man that at all events he cannot be accused of bringing voluntarily his spurious wares into the market. It is at least true to say for him that in his wretched penury, with children

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dependent upon him, at a time that he was begging for small sums of relief, at a time that he was complaining of the pressure of distress so great that his very goods were to be seized for the payment of his rent; it is at that time that the tempter comes to him; and to this man in whom at all events there survived the strong instincts of fatherly affection with some four children depending upon him, and no honest means of earning a livelihood, then comes the tempter to him, holding out to him a prospect of indefinite employment upon terms of one pound a day while he was working, and one guinea, I think it was, a day for his expenses. Then a little time passes. He has been asked can he get hold of any documents to incriminate any of the leaders. He says he will try. He goes, or pretends to go, pleasantly journeying backwards and forwards at the expense of the Loyal and Patriotic Union (or Mr. Houston), and after a little time he comes with his first batch. But, meanwhile, Mr. Houston pays a visit to the "Times," and makes an offer to Lord Hartington, and is suggested to have made overtures to the "Pall Mall Gazette." I do not stop to inquire into these. They are not the main thread of my story. But what is the course, when they come to closer quarters, and when these payments have to be made, which Houston pursues? I do not desire, moved as I am (as I confess I am) to indignation at his conduct, to put it higher than the bare facts justify. Houston deliberately pursues a course of conduct in relation to this infamous story such as would have been pursued (I will say no more than that) by a man that knew he was lending himself to a deliberate manufacture of deliberate forgeries; for how else and on what rational ground can you explain that in his payments to Pigott he pursues every device and contrivance to render it impossible to trace the fact that he has paid the money. How comes it that he destroys every vestige, according to his account, of correspondence with Pigott? But when does he destroy it? Not during the production and manufacture of these letters, but when your Lordships' Court is sitting, after, I think, the inquiry has begun, and when he knows that your Lordships would take no denial when the question of the genuineness of these letters came to be considered; when he knows that he will be called upon to produce the whole of that correspondence. Nay, more, he takes that course of conduct which I say is just the course of conduct that a man knowing he was engaged in an infamous fraud would have followed. He destroys those documents after he has had the subpoena from the solicitor, Mr. Lewis, who instructs me, and after that subpoena had required him as by an order from the Court to produce the documents or any documents which would throw light upon the subject of this inquiry.

I do not know whether Mr. Houston is master or man in the Loyal Patriotic Union. I do not know whether they can afford, whether they dare afford, to send him about his business; but I say in the face of his own confession in this Court of the course he has pursued in relation to this matter, he is unworthy of the confidence of any respectable body of men or of individuals. What is the next step? That was in July 1886. Brought to the "Times" on the principle of "sale or return," the last week of November or the beginning of December 1886, and what is paid for them? The story is a remarkable and interesting story in relation to the first batch. According to one statement, the statement of Mr. Macdonald, a sum of 1,780*l.* altogether has been paid. The cheques put in by Mr. Soames, for he was the medium of the payment to Houston, are 1,000*l.* on the 4th of May 1887; 200*l.* on the 25th of July 1887; 30*l.* on the 8th of October 1887; 40*l.* on the 13th of December 1887, and on the 27th of January 1888, 200*l.*, making 1,470*l.* The other statement, and there must be something to explain which I have not been able to follow, and do not care to stop to follow, is the statement in the account given by Mr. Macdonald, payment in May 1887 of 1,000*l.*; in July of 400*l.*; in January of 200*l.*; also in January 180*l.*; making together the sum of 1,780*l.* Of that sum for the first batch Pigott got 500*l.* and 100 guineas for himself, and there were altogether computed about 975*l.* expenses—Mr. Houston keeping 200*l.* for his own expenses—the expenses consisting of the journeyings of Pigott hither and thither on these infamous quests. My Lord, those he represented, the company, or syndicate, or partnership of the "Times," or those, at least, who have come before us, seem to have lost their heads over this matter. The only one who seems to have kept something like self-command was Mr. Buckle. He seems wisely to have declined personally to enter into any negotiation with Mr. Houston, but passed him on to Mr. Macdonald.

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The second batch is obtained ; the cry is more. Political hatred and animosity was not yet satisfied, and as Pigott had found there was a demand at high prices for these wares, there was little difficulty in obtaining the second batch, and they, my Lord, were delivered according to contract in the beginning of 1888.

Still, my Lord, there is a demand, and accordingly a further supply is forthcoming to meet the demand, and the third batch is delivered in April 1888, upon the occasion of the trial of *O'Donnell v. Walter*. Now, what had the "Times" done up to this time ? I said April—July 1888 was the third batch, and it was in July 1888 that the trial of *O'Donnell v. Walter* took place.

Now, my Lords, what was the state of the information that the "Times" had ? What were the means of inquiry that they had ? What inquiry did they make ? Before the trial of *O'Donnell v. Walter*, Mr. Macdonald knew that they came from Richard Pigott, because he had at that time the letter—another forged letter—which purported to be addressed by Mr. Parnell to Richard Pigott himself, and in which Richard Pigott's name appears. Others had become aware of the fact that this correspondence also came from Richard Pigott. Mr. Soames, of whom it is a pain to me to speak in any terms of anything like, if I may use the expression, severe reprehension—I believe Mr. Soames to be a respectable professional man—he has had here, undoubtedly, a most difficult part to play ; he is, he tells us, not merely on this inquiry the solicitor of the "Times," but he is on the permanent staff of the "Times" ; and I am afraid I must say he has allowed his partisan feeling to carry him away to such an extent as completely to blind his judgment, and to commit him to a course of conduct which, under other circumstances, I am sure his good sense would have saved him from. But by that time, of the trial of *O'Donnell v. Walter*, he had got to learn that Richard Pigott was the source from which these letters were got. I do not inquire—I have no right to inquire—the Attorney General may think it right himself to refer to it—I have no right to inquire what his knowledge was ; but I have a right to say this, what, in view of such a state of things, would any man of experience in the world, or at the bar, feel bound to pursue ? What course would a newspaper, what course ought a newspaper to feel bound to pursue ? I hope I am not putting it too high when I say that when the press comes to a point, when they believe it to be their right, or to be their duty, to launch gravely calumnious charges against any man, that before they do that they must satisfy themselves with almost judicial impartiality that they have solemn, certain foundation for the accusations that they are making, and that they are serving some public object in making them.

Here is an attack made against a number of men holding, many of them, conspicuous positions in public life, forming a considerable and important party in the House of Commons. Now, in view of that state of things, and on the eve of launching these charges, what was the course that ought to have been pursued ? What was the first idea that would commend itself to the minds of any, the least experienced of my learned friends whom I see in court around me ? Each of your Lordships has had frequently to deal with a number of cases in which there have been forgeries inquired into in courts of justice, not the forgery of one or two men's handwriting, but the forgery of a number ; and if I needed to point to a recent instance I might point to the facts of a case which your Lordship will see recorded in an elaborate judgment of Mr. Justice Charles, a case which my learned friend the Attorney-General and myself know well, the case of *Vagliani*, and the Bank of England, where a clerk of 120*l.* a year, for a period of nine months not only forged one name but half-a-dozen names ; and kept up so as to deceive his employers and others for a term of nine months a systematic forgery, which resulted in the defrauding either the Bank of England, or his employers, of the sum of 90,000*l.* The first inquiry would be, not what view an expert would take as to the dotting of an *i*, the crossing of a *t*, or the curling of a *q*, a *y*, or a *g*, but the first question which would occur to any man would be this : "Where do these come from ? Whose is the hand from which they are immediately obtained ?"

I do not know whether your Lordships observed, but I was struck with it at the time, that Mr. Houston in giving his evidence was very careful to point out that in passing them on to the "Times" he gave no guarantee whatever about their genuineness. What did they do ? They delivered them to one expert ; they made no inquiry who Richard Pigott was. No, I do not understand it. It should be capable of explanation, but the explanation does not occur to my mind. On the very eve of this inquiry they had

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not even subpœnaed Richard Pigott, although they had before that date known that he was in communication with Houston, and known from Houston that he was the man from whom all these letters without exception came. I marvel at it. I do not understand it. Was it up to that time conceived possible that Pigott was not to be produced? Was it up to that date conceived possible that your Lordships would be content with the statement of Houston that he got them from somebody, without disclosing the somebody? Your Lordship will recollect the Attorney-General's explanation given upon the subject. He said, "I am not authorised by Mr. Houston to state who the letters came from. I hope to be in a position to state from whom Mr. Houston got them; but I cannot at present tell you from whom he did get them; because he got them under the seal of secrecy, and until that seal is removed with the permission of the person with whom the compact was entered into we cannot break the compact." It turns out, my Lord, that in the ordinary sense of the word there was no compact at all. In answer to the question put by my learned friend Mr. Asquith, in the course of his most effective cross-examination, Mr. Macdonald said that there was no compact or understanding beyond the ordinary newspaper understanding, that the source of information would not be disclosed. But, my Lords, in view of imputations of this kind, in view of an inquiry of this kind, it is idle to say that any such understanding, or even any such expression of a compact could be relied upon. Mr. Pigott was not subpœnaed to attend as a witness here until long after he had been subpœnaed on the part of Mr. Parnell. But, my Lords, not only was no inquiry made then, but certain circumstances were meanwhile transpiring. On the 19th of October, Pigott gives to Mr. Soames the first statement of his evidence. On the following Monday, the 21st of October, that statement is taken by Mr. Soames, as he told your Lordship in the box at one of the later stages of his examination, to the Attorney-General, and he pointed out upon the face of the note taken of his examination, that there were on that paper the pencil marks indicating that it had been read by the Attorney-General. At that date, at all events, on the eve of the inquiry, counsel, or at least the leading counsel knew that they came from Pigott. If so, why at that stage was no inquiry made? Again I marvel; I cannot suggest or understand. On the 25th of October it comes to the knowledge of Mr. Soames that Pigott had had an interview with Mr. Parnell, Mr. Labouchere, and Mr. George Lewis at Mr. Labouchere's house; and it is noteworthy in passing to show that according to Pigott's letters of the 11th and 17th of November, Mr. Soames and Mr. Houston were parties and privy to those interviews. So Pigott states in the letters, and that statement has not, as far as I am aware of, been denied.

They get a further amended statement from Pigott; still no inquiry about his character or antecedents. Further letters passing between him and Houston. Of their character and purport we cannot tell, for Houston destroyed them. Finally a letter, most significant and important, of the 11th of November 1888. My Lord, for the interests of truth, Pigott not only sent that letter to Houston, but sent a copy on to Mr. Soames, and if it had not been for the fact that Mr. Soames got that copy, your Lordships would have heard nothing of it. I presume it would have been like the rest destroyed by Mr. Houston.

Then follows the letter of 17th November, an intermediate letter—there is the letter of Mr. Soames to Mr. Pigott, which has no reference to the suggestions describing his testimony contained in the letter of November 11th. It is recited, in almost formal fashion, the account, which Pigott has given of his interview with Mr. Labouchere and of the alleged offer of Mr. Labouchere; and which then goes on to make what has been called "the arrangement in writing" that the "Times" were not to see Pigott come to harm if he came into the box and told the truth. Then comes the letter of 17th November; but my Lords, they had before, any of these letters, pursued a very extraordinary course. They had got this man on the 8th of November, to make a statutory declaration, I am not sure it was not the second declaration that was made. The declaration, I think, is dated the 7th I think, and they received on the 8th. And in that declaration he sets out the fact, amongst others, that at the interview on the 25th October, Mr. George Lewis, had, in terms told him, Pigott, that he was the forger.

I will here pause to say this. The one thing that we, representing Mr. Parnell and others, did not know before the 25th October, was whether Pigott was the man who had conveyed all the letters to Houston. Once that fact was clear and established,

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we wanted, for we cared for nothing more, because I think, I shall demonstrate to your Lordships that that fact once established, proof of forgery brought home to Pigott was an easy matter. A further letter follows of 17th November, in which he goes into the statement of the incriminatory suggestions made against himself, and in which he says in effect, what he had said in his letter of the 10th, but more in detail and more strongly, that he is a witness, who if called must be on his cross-examination so discredited that he will do the side that calls him more harm than good. But in that letter of 17th he mentions one distinct fact. He mentions the fact that Mr. Parnell had charged him, Pigott, with other forgeries; that he, Mr. Parnell, had proved that Pigott had committed a series of other forgeries. Therefore, there is at this stage, at least, the fullest information given to those representing the "Times" as to what kind of person Pigott is alleged to be, and the means of judging for themselves, by inquiry, whether he is or is not a reliable witness. And yet we have it from Mr. Soames that from that time, or before that time, or up to the moment when Pigott was put into the box, was there one single question put to anyone in any quarter; not one single inquiry made as to the character and antecedents of the man upon whose evidence they desired to blast the reputation and drive from public life men for whom we here appear.

My Lords, Mr. Parnell made that statement of his ability to prove a series of other forgeries against Pigott, and made it on good authority. He can prove it. I can now state that to your Lordships, and I will ask whether I may be permitted to do so.

(*The President.*) No, certainly not; it must be unnecessary.

(*Sir C. Russell.*) My Lords, I desist at once. I would only point out to your Lordships this. It is a matter which I would have been entitled to put to the wretched man if he had appeared here at the conclusion of his cross-examination. I had the persons concerned, or at least some of them, in attendance, and they were such——. Well, my Lords, I do not desire to pursue it; I am justified in saying, as Mr. Parnell will tell you, that he had justification for the statement made. I will say no more. I do not wish to blacken the unhappy man's memory more than can be avoided.

My Lords, still no inquiry. All this in the month of November 1888. Day after day irregularly, I am afraid—exceedingly so, I am afraid—for more than once your Lordships have said, I and my learned friends kept pressing that the question of the letters should be put forward. Day after day, week after week, they were delayed and postponed. From November, with full information, no inquiry is made until in the month of February, when the question of the letters arose, and then even how is it presented? Is it too much to say that Mr. Soames and my learned friends then felt that they were indeed fishing in very dirty waters; for if they had not at that time, I will not say the belief—that would be too strong a thing to say—but if they had not at that time the strongest suspicion that they were leaning indeed upon a rotten staff, is it possible to conceive that the course pursued would have been pursued, Nay, I think you might even put it further, in view of the circumstance which must have then been in their minds, which must have, at all events, suggested to them that they and those whom they represented must have been misled or imposed upon, or may have been misled and may have been imposed upon. Would not the fairer, the generous, the proper course for the "Times" to have taken have been to have met the case, not with a view of taking the course, and exhausting every effort of ingenuity, by the production of witnesses, to fix some stain upon political opponents; but to meet this case fully, and if it broke down, because of the unhappy evidence by which it was supported, let it break down to the rejoicing and satisfaction of every honest and honourable man. Oh, no. In the place of Mr. Pigott being first called, we have Mr. Soames; then we have Mr. Houston; and then we have as a kind of property platform on which to build or buttress up the evidence of Pigott, we have the attempt made to interpose the expert evidence, a course which I cannot ever recall to have been pursued in any court of justice, even where private interests and private litigation are concerned.

The Court adjourned for a short time.

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Now, my Lords, what is the story this man Pigott tells? His story is that he went to Lausanne and had a conversation with one Davis, got a long statement, which I hope I may be excused for calling a rigmarole—a statement containing, no doubt, a number of very serious imputations, but all so to speak second-hand. But still gets no documents, which were the objects of his quest, which was the object for which Houston had employed and paid him. He came back to Paris, and he was strolling up one of the boulevards. At Paris, one day, when a man accosted him—he had never seen the man before; he did not know him; the man gave the name of Morris Murphy; but Murphy said he had formerly been employed in the “Irishman” newspaper office as a printer. To Morris Murphy Pigott conveyed the object in pursuit of which he was. Murphy said he could not help him, but subsequently told him that he had discovered that there had been left behind in Paris, in an apartment supposed to have been occupied by Byrne or Brennan—I think he said Byrne originally—a black bag. Then said Pigott, “Let me see the black bag”; whereupon Murphy said, “Oh, no, orders from important persons must be obtained before the contents of the black bag can be disclosed,” and that his orders were to come from America. Why they did not come from America, why they were not sent from America, no reason appears—Pigott represents he sent to America. I do not stop to inquire whether he thought the sea trip would do his health good or not; whether in fact he went to New York. He says he did, and that he was waited upon by some gentlemen who had had information in some mysterious way of his advent to New York, and that from this person he received authority to receive the documents in the mysterious black bag—Breslin was the name—and that he then returned, and the contents of the black bag were then supposed to be available. Your Lordships will not be surprised to hear that Breslin—who was fixed upon as the person he saw in America, and who was supposed to have given the authorisation for dealing with the mysterious contents of the black bag—is a dead man. He returns, and certainly this is a very extraordinary story, as told not alone by Houston, but by Pigott. The story is this: that Doctor Maguire, now no more, and Houston, went over to Paris. They put up at one hotel; Pigott at another. On a particular morning Pigott came to them, and said, “here are the letters, a man is waiting below. Examine them; see if they are all right”; they examined them and paid the money for them there; paid for them by a circular note, payable at any of the money changers in Paris; took the documents; and that they did not even then take the precaution of seeing, so unlimited was their faith in Pigott, or for some other reason which I cannot define, did not take the precaution of seeing whether there was any such person below at all. And with this prize they returned to London. That prize constitutes the first batch of the letters. No inquiry was made on the subject, which one would have thought they might easily have made with the view of localising the department in which Byrne or Brennan—Byrne, I think, was the name given—in which he was supposed to have resided. No inquiry for localising, for fixing, the locality, to ascertain whether any such black bag or anything of the kind had been left behind; not the commonest precaution, not the very commonest precaution, at this stage, taken to inquire whether any part of the story of Pigott was true. And then follows the account, or then was given the account that Pigott deposed to, of the way in which he immediately got possession of the letters. Taken to a room annexed to a restaurant in a street near the *Place Madeleine*, I think he said, taken into this room of this public restaurant, and there he is sworn on his knees in the presence of six or seven people, the names of none of whom did he know, and none of whom he had ever seen before, and who, according to his account, he was destined to see once again, and in the same place and upon his bended knees he was sworn never to reveal the source from which he obtained those letters.

But the form of the oath which he was called upon to take was certainly of a most peculiar kind; it was specially directed to the point of a judicial inquiry; because the oath was that he was especially not to reveal the source from which those letters came if examined in a court of justice.

My Lords, that is as far as it is necessary to trouble you with the story of the first batch.

Your Lordships know the letters comprised in the first batch. They are the fac-simile letters; one letter dated Tuesday, a second letter dated Tuesday, a third letter dated Tuesday, and one the 9th January 1882, beginning—“What

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are these fellows waiting for"—all five being Mr. Parnell's. And also six letters purporting to be Mr. Patrick Egan's; letters of the 18th June 1881, 8th March 1882, 11th March 1882, Tuesday, 24th February 1881, and the 10th June 1881. But accompanying them, my Lords, was what I must call a lot of rubbish, which I should think ought to have still more strongly suggested to the minds of rational men who were anxious to avoid being deceived, especially as they were making grave imputation upon the characters of others. And what was this rubbish? Twenty, 30, or 40, I do not know the number, of clippings of sheets of paper, with the same heading of the House of Commons upon them; perfectly genuine, I doubt not. Probably the clippings from letters written in answer to the numerous begging petitions which this poor creature was in the habit of sending broadcast apparently. But surely to men who did not desire to be blinded, who did not desire to be deceived this circumstance amongst others ought to have suggested to them the need in common fairness for their own protection, if they desired to avoid being imposed upon, of some further examination, but there was none.

The story of the second batch was this. He was walking along also the boulevard on the second occasion; and this time he was accosted by a person who bore the name of Tom Brown. Tom Brown also was a stranger to him. He had never heard of the man; apparently never heard of the name before. Who Tom Brown was, who he said he was, what connexion he had with any organisation, secret or open, in no way appears. All he told us is he was introduced to him by someone whom he called Hayes. No inquiry. Again the solemn farce gone through of recital by Pigott about his being introduced to the same room of the same café or restaurant; sworn in the same mysterious way, to the same mysterious effect; strange to say, in the presence of the same parties, although there was no connexion shown, or suggested, as far as I can recall, between the origin of the first batch and the second.

My Lords, the third batch I will not trouble you by referring to. Those two letters are unimportant for any purpose in the case. They are the forgery of a letter of Mr. Davitt's, and the forgery of a letter of Mr. O'Kelly. They were never published, and were only discovered at a late period of the case. But there was one circumstance in connexion with them—I do not wish to give undue importance to it—but it was obviously, as your Lordships will see, of great importance to those who had to meet this serious charge, that they should know fully and completely all the documents which came from this same source, in order that by reference to the genuineness of some, they might be able to test the want of genuineness of others; and certainly with that view, and in that connexion, the discovery of those last two letters was of some consequence. As I say, I do not wish to make unnecessary reflection. I do not wish to attach undue importance to a question of the kind. As a matter of fact, your Lordships will recollect they were hidden in a box—when I say hidden in a box, put in a box—with a number of other documents; and it was only after your Lordships, or the able secretary who assists your Lordships' commission, had examined them at a very considerably advanced period of this inquiry, that they were discovered and found to be forged. They too proceed from the hand of Richard Pigott.

Now, my Lord, what is the account Pigott gave of himself? I will take his account as it is told by himself, and I will take it in no very great detail. He was the proprietor at one time of the "Irishman" newspaper, and he continued to be its proprietor up to the year 1881, and in that year he sold it to Mr. Parnell and some of his colleagues, together with another paper which he then possessed called "The Flag of Ireland."

My Lords, at that time an important correspondence—important, I mean, with a view to the truth and genuineness of these letters—passed, and it was divided into two branches. Correspondence between Mr. Egan and Mr. Pigott with a view of negotiating terms of purchase; and ultimately some letters between Mr. Parnell and Mr. Pigott on the same subject. To that correspondence I will refer a little later. Then, my Lords, trying to follow out in the order of date, came the correspondence, that remarkable correspondence, with the late Mr. Forster, which began in Pigott's attempt to obtain money and support from Mr. Forster in attacking the popular leaders, in which he succeeded in what cannot be doubted his main object, namely, in procuring by violent statements no inconsiderable sum of money from the private pocket of Mr. Forster. And then when he renewed his attempts with the same object of money, he palms upon Mr. Forster—he invents, and your Lordships will

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find several other instances of the same kind — he invents the story that at certain mysterious interviews he has been offered a sum of money for disclosing his correspondence with Mr. Forster, and, perhaps, looking to the private character of that correspondence, he meant to convey, supposing that Mr. Forster had not copies of it, he meant to convey there might be said to be something in that correspondence with reference to Mr. Forster of which of course there was not the shadow of a shade of ground. Then, failing to get by misrepresentation and false pretence, he turns round and attacks the man who, undoubtedly from his kindly nature, meant to be his benefactor.

Then, my Lords, we have the next incident, the illustrative incident of his earliest communication with Archbishop Walsh. He writes, appealing to Archbishop Walsh anonymously. The document is before your Lordships, and you will judge whether it was his or not—I think no one can doubt it was his—in which he suggests, through this anonymous form of communication, that a clergyman, his own neighbour at Kingstown—a Protestant clergyman, he, Pigott being a professing Catholic—is seeking to take advantage of his penury to proselytise his (Pigott's) children, a statement for which he told you there was no foundation whatever in fact. But in order to get money he invents the statement; he invents the alleged attempt at proselytism, and forwards it anonymously, to excite the sympathy and to ensure the assistance of the Archbishop of Dublin.

His next adventure in this line is his correspondence with Mr. Egan, in reference to certain disclosures which he is asked to make, again illustrative of the man, and of his career. He says two gentlemen have called on him at Kingstown. “They did not give me their names. I did not know who they were; but they asked me would I publish a statement in relation to the affairs of the Land League, and especially in relation to the disposition of the funds of the Land League, a statement supposed to reflect on the honesty of those dealing with those funds.” In other words, to suggest that funds that had been subscribed for certain public purposes had been applied to private purposes, and to the support of certain Members of Parliament. He adds: “I cannot ask you to endorse the truth of this statement. Nay, my mysterious visitors have given me permission to challenge, to contradict, to deny the statements—money is an object with me, and they offer me 500*l.* if I will make the required publication.” And then in answer to that Patrick Egan writes a letter, the one on the basis of which, or in view of which, the fabrication of this correspondence by Pigott was made. And on that occasion your Lordships will recollect—it is also in Court—he enclosed a communication, which is supposed to be a communication he handed to him in writing, conveying a request as to the character of the publication which is desired—forgery No. 2 upon his own confession, for I think no one who heard his story, I am sure I need not labour the point, and your Lordships cannot doubt that that was an absolute and complete invention.

Then comes, my Lord, what is still more extraordinary, the still more important correspondence with Dr. Walsh, the Archbishop of Dublin.

Your Lordships recollect that the publication of these libels began in the month of March 1887. I think the first early in March 1887. At that time he renews his correspondence with Archbishop Walsh. It is all in. Your Lordships would not desire I should trouble you with going through it again. I must remind your Lordships, however, of its tenour and its effect. That correspondence was, as I think you will conceive rightly, although marked a private correspondence, rightly forwarded by Archbishop Walsh for the elucidation of truth, not to Mr. Parnell or his solicitor, but to me and me alone, and I retained it in my own possession, never having parted with it, but using it for the purpose for which it was sent to me, namely, the elucidation of truth in this matter.

That correspondence in effect is this: “A dastardly attempt is going to be made in the columns of the ‘Times’ newspaper to blast the reputation and to drive from public life Mr. Parnell, and some of his colleagues. I do not know anything about it myself, but accident has put me in possession of the story; and I am able to put your Lordship in possession of information which will enable that design to be betrayed.” The Archbishop replies, “There is no use in making these general statements. If you have any information of importance to give, say what it is. I will be no party to it. I am not on terms with Mr. Parnell sufficiently intimate to

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“ venture to make a communication with him, but if you have any statement in the interests of justice to make, make it; and state who is the person and who is the fabricator in this matter.”

Then, my Lords, a number of letters follow which convey clearly and unmistakably that he represents he knows a means to convince him that these letters are forgeries, but he disclaims that he is the fabricator, or has had anything to do with the fabrication; and then he writes two letters in particular which appear to have gone into the matter in greater detail than any of the others, and he asks the Archbishop to return those two letters, which the Archbishop accordingly does. Probably if those had been forthcoming the story would be even more complete than it is at the present state of the evidence.

My Lords, I really do not stop to argue this question. I can hardly conceive that that there are minds so constituted as to entertain any doubt, in view of all the antecedents, in view of the story he told in the box on his examination-in-chief, and upon cross-examination, who can entertain even the faintest, lingering doubt that from beginning to end Pigott was the undoubted forger of every one of those letters.

But we will pursue the story. On the 25th of October, at his own request, or in pursuance of his own request, he has an interview, at which Mr. Parnell, Mr. Labouchere, and Mr. George Lewis were present. Your Lordships will recollect how that request came to be conveyed. He was subpoenaed by Mr. George Lewis, and in answer to that subpoena he writes to know what arrangements are to be made for paying him, and what he is to get for his loss of time and so forth, to which he gets a curt answer to the effect that he will be told when his attendance is required, and there will be forwarded to him by Mr. George Lewis's agent the proper conduct money when his attendance is required. Then he follows that up by a letter to Mr. Labouchere, in which he expresses the wish or the desire to meet Mr. Parnell and Mr. Justin McCarthy.

But before that, my Lords, a very important fact transpired. First of all, this. On the publication of that *fac simile* letter, which occurred in April, there immediately appeared in, I think, the very next issue—I had the number here, I could have referred your Lordships to the exact number, but they have apparently for the time been mislaid—there appeared in the columns of “Truth” this statement. No one had seen, Mr. Parnell had not seen the original of the *fac simile* letter, but it was suggested that either of two things might be true—either that, looking to the position of Mr. Parnell's signature, which was at the top of one of the pages, his genuine signature might have been innocently placed there, the other part of the letter being afterwards written, or the alternative suggestion was that the whole thing was a forgery. These two theories, or explanations, or suggestions appeared immediately after the publication of the *fac simile* letter, when, as regards the second of those, namely, that it was a forgery, the name of Richard Pigott was mentioned as the probable author of that forgery.

Later, when in the course of the trial of *O'Donnell v. Walter*, the Attorney-General had opened the other letters, for, up to that time, your Lordships will understand that the only letter which had been published was the *fac simile* letter, the attention, of course, of the whole world was drawn to the other letters; and then there arrived in this country, in the circumstances which your Lordships heard deposed to by Mr. Labouchere in the box, this important correspondence between Egan and Pigott—Pigott's original letters and Mr. Egan's replies on the back of them, the correctness of which, in substance, Pigott acknowledged.

I am reminded, and of course your Lordships will recollect, that one of those genuine letters from Egan to Pigott had been published in the “Freeman's Journal,” as far back as December 1881.

Now, my Lords, I follow out the story of this man. He came into the box and was, I think, for part of one day and the whole of another day cross-examined by me, and on Friday, the 22nd of February, he appeared for the last time in the witness box. On the Saturday, something important occurred. He went to Mr. Labouchere again, professing to desire to make a clean breast of the matter. Mr. Labouchere, as he told your Lordships, declined the interview, unless in the presence of some third person, and as a neighbour accessible, he sent for Mr. Sala. And then, upon the initiation of Pigott, that confession your Lordships have heard of, was taken down, in which he in effect denies the story he had told on his oath in the box, and confesses that these letters were forgeries.

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[Continued.]

My Lords, something else follows upon this. That confession is communicated by Mr. Labouchere to Mr. George Lewis. He takes a copy of it. He gets it, I think, on Saturday night or Sunday morning, and on Monday morning sends it back to Pigott in a letter which has been read. Meanwhile he had been seeing somebody else. One of your Lordships expressed surprise that we should have expected to see Pigott again in the box after his confession made to Mr. Labouchere and Mr. Sala. I was a little surprised at the moment, but I confess upon reflection I think that was a natural expression of the learned Judge who made it, for I had in my mind the fact that he had confessed on the 21st of October to these very forgeries, and yet he appeared in that box on two or three following occasions. But, my Lords, if it should not be a matter of surprise to us that he did not re-appear on the following Tuesday, what was the state of knowledge and information which was possessed by those representing the "Times"? We now know what happened. Mr. Shannon sees him on the Saturday, I think, or on the Sunday, I forget which, after he had made his full written confession and signed it in the presence of Mr. Labouchere and Mr. Sala. Mr. Shannon, in view of, and with the knowledge that he had confessed to the untruth of his story in the box, is a party to his making a fresh sworn declaration, corroborating his evidence in part, as he had given it in the box; and then follows this extraordinary communication in which to Shannon he writes as a matter of course when he gets to Paris: "Herein I send you"—I do not stop to refer to the letter—these are almost the very words, certainly their tenor—"I herein send you enclosed, which came to me just as I was leaving." Did that or did not that convey to Shannon that he was leaving? He was their witness—he was not ours. They had two policemen, if not in charge of him, looking after him. That was the expression used—did Mr. Shannon, or did he not, convey to Mr. Soames that on the Sunday he had thought it necessary to make arrangements for the taking of that declaration? Did he on Monday tell him that he had made that declaration, and if blame for this man's disappearance, and it may be for his wretched death lies anywhere, where does it truly and justly lie? Why were no steps taken to ensure his continued attendance in the witness box, and how comes it that he is on these terms to write to Shannon?—"I received the enclosed which I sent you just as I was leaving"—and how comes it that he sends that last communication of all, which I think has not yet been produced in your Lordships' Court, which I have before called for, and which I hope will presently be produced—the telegram from Madrid, the last communication he made to Shannon, begging that there may be sent to him—I do not want to do injustice to anyone in the wording of a telegram, but it was to this effect—begging that there might be sent to him what "you promised Mr. Soames would send," or "what you promised." And, my Lords, that there was an understanding with Shannon, that Shannon knew he had gone, that Shannon knew he had gone to Spain, because probably Spain was a place it was believed the international treaties might not extend to, is shown by the fact that he telegraphed in a name which would not be known to anybody who had not been party to using it, telegraphed in an assumed name. That is the story.

(*The President.*) My recollection is that he says: "Communicate by the name that I give."

(*The Attorney-General.*) Yes.

(*The President.*) I think you are mistaken, Sir Charles.

(*Sir C. Russell.*) No, he had communicated in an assumed name, my Lord; that is my point.

(*The President.*) I thought you were suggesting that Mr. Shannon must have known he was going there under an assumed name.

(*Sir C. Russell.*) My Lord, I am. I agree with your Lordship.

(*The President.*) I was pointing out that my recollection of it is that he says "Communicate with me by this name."

(*Sir C. Russell.*) My Lord, I will not say your Lordship is not right, but my recollection is not so. My own recollection is, that the telegram purported to come from Roland Ponsonby.

(*The President.*) Perhaps so.

(*Sir C. Russell.*) That being the assumed name, but I do not dwell further upon it. The point upon what I was saying is this: that the terms of that letter which he

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writes enclosing the original declaration which Mr. Lewis had meanwhile returned to him, shows that Shannon was a party, in point of knowledge, to his leaving, because in that same letter in which he says "Just as I was leaving I received the enclosed," he adds "I will write to you soon again." Your Lordships will recollect the passage in the letter, because that letter has been produced.

Now, my Lords, I leave that matter. The force of my contention does not depend upon minute criticisms of either the letter or the telegram. I will only observe, in passing, that it is difficult to see how anybody could identify Rowland Ponsonby, which was the name used in the telegram, with Richard Pigott, unless there had been some precognition on the part of the recipient of the telegram that that was the name agreed to be used or going to be used. My Lords, I return very briefly to the consideration of these letters themselves. To take the first of these, I mean the first in point of publication. Mr. Macdonald thought that these letters, on the face of them, were the most natural letters to write under the circumstances. Mr. Macdonald's account in this matter was certainly a most interesting as well as a most remarkable one. His attention is called to the fact of the body of the letter being written in one hand and the signature in another. He suggests that, in his opinion, the body is in the handwriting of Mr. Campbell, Mr. Parnell's secretary, but that Mr. Campbell sought to disguise his handwriting in the body of the letter. He adds: "I do not suggest " Mr. Parnell's signature is at all disguised; that is, naturally, his genuine signature." " Were there any envelopes with these letters?—No, there were not. Did it strike " you as at all singular that the body of the letter should be written in a disguised " handwriting, and that a genuine signature should be put to it?—No, not at all," said Mr. Macdonald, " it is exactly what the Irish leaders do. It is exactly what I, if I " were a conspirator myself, should do. I should have the body of the letter written " in one handwriting, I should have the signature of the letter in another handwriting, " I should have the endorsement and envelope in another handwriting, and I should " destroy the envelope." How the sender of the letter was to go through all that operation, especially destroying the envelope, passes comprehension.

My Lords, it may be a subject of merriment, but it points to a very serious, a very extraordinary, a very lamentable state of mind. On Mr. Macdonald's own confession he was absolutely ready to believe anything that could be said in defamation of Mr. Parnell and of Mr. Parnell's colleagues. He was ready to swallow wholesale, in spite of any improbability, any imputation made upon them. My Lords, that is the key to a great deal of this story. It is the key to the whole fabric of calumny which has lifted up its head under the name of " Parnellism and Crime "; a want of common charity, a want of common care, a neglect almost criminal, an attitude of mind which endorses, which accepts the gravest accusations against political opponents. What is the language in it? " I am not surprised at your friend's anger." I need not trouble your Lordships with reading it. And then we have this interesting instance of the *ars est celare artem*, which a man of the wretched antecedents of Pigott knew well how to apply. What the " Times " in one of its articles calls the accidental corroboration of three words being carried out—the accidental corroboration of the name being written on one side of the sheet which no forger would resort to, and last of all the fact that it being known that Mr. Parnell leads a solitary life and does not mix generally with his colleagues, the crowning item of corroboration in this letter, which found ready acceptance in the mind of Mr. Macdonald was the fact that Mr. Parnell desired that his address should not be known. In the words, smacking a little of the transpontine melodrama—" Let not my address be known; betray not the secret haunt " and cave in which I am preparing my conspiracies."

What is the next? " Dear E. 9th January 1882. What are these fellows waiting " for? This inaction is inexcusable. Our best men are in prison, and nothing is " being done. Let there be an end of this hesitency. Prompt action is called for. " You undertook to make it hot for old Forster & Co. Let us have some evidence of " your power to do so. Yours, very truly, Charles S. Parnell." That again found ready acceptance from Mr. Macdonald and those whom he consulted in this matter. Then the others are—I do not dwell, my Lords, upon the point of " hesitency," it is already appreciated by your Lordships. I might, if it was worth calling your Lordships' attention to, draw attention to the spelling in some other respects, as for instance, the spelling of the word " likelihood," in the letter of " Tuesday," which corresponds

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exactly with the genuine letters of his, which we have to produce to your Lordships, and also the corresponding spelling in the word "livelihood" in the genuine letters which corresponds with the same mistake, with the use of the second "e" in both words. I do not dwell upon these small matters. If it were necessary, I could go further and point out to your Lordships several other points of resemblance, even down to the question of handwriting, but when your Lordships have before you, as you have had, two or three specimens of what I must call, I think, if not admitted, clearly proved, specimens of the way in which he can feign handwriting in the memorandum to Archbishop Walsh, about the proselytism in the memorandum to Egan about the mysterious visits of the strangers, and so forth. I need not dwell upon or labour that point.

Then, as to Egan's letters, some considerations of another and of a different kind apply. My Lords, these Egan letters were written designedly, written to build up the theory of complicity with the Phoenix Park murders. Thus a good many of them, so far as they appear, are innocent, but, of course, the object was to show that the man who produced them was pretending that he had access to these letters.

Now, the second batch is addressed to James Carey, Esq., purporting to be signed by Patrick Egan:—

"I have by this post sent 200*l*. He will give you what you want. When
" will you undertake to get to work and give us value for our money,—Faithfully
" yours, Patrick Egan.—James Carey, Esq."

My Lords, two genuine letters of Egan's to Carey have been produced, relating to the time when Carey was a candidate for some local office in the Corporation of Dublin, and those letters are not addressed "Dear Sir," in this fashion; they are addressed "Dear Carey," or "Dear James," I think, is the expression in those letters; but this letter was designed by the introduction of the reference to M., which the Attorney-General interpreted, and rightly interpreted, to be intended to mean, "Mullet" or "Mullets," two of the persons who took a common part in the Invincible conspiracy.

My Lords, I wish to draw attention, and this is the last thing that I have to say in regard to these letters, to the parallelism which is to be found between certain of the genuine and certain of the forged letters. I think you have already had a copy of these handed to you. I will only trouble you by reference to two or three of these. Now, here are the first which I will compare. Genuine letter: "Dear Sir, I am in receipt of your letter of the 16th inst., and in reply should write to Mr. P. as you request, and ascertain his views—that is in reference to the purchase of a paper.—Yours truly, P. Egan." Forged letter 1881, the figures agreeing, : "Dear Sir," the words agreeing, "I am in receipt of yours" agreeing, "instant" agreeing. Mr. P——, Mr. Parnell, "yours truly" agreeing. "P. Egan," of course agreeing. That is not the most remarkable, although it is remarkable enough.

The next is the parallelism between the genuine letter of the 18th June 1881, and the forged letter of the 18th June 1881. This is remarkable—the forged letter: "18th June 1881, Dear, Sir, Your letters of the 12th and 15th inst. are duly to hand, and I am also in receipt of communication from Mr. Parnell, informing me that he has acted on my suggestion, and accepted the offer made by B. You had better at once proceed to Dundalk, so that there may be no time loss." Genuine letter: "18th June 1881" agreeing, "your two letters of the 12th and 15th" agreeing, except that it is 12th and 13th, "are duly to hand" agreeing, and "I am also in receipt of" agreeing, "communications from Mr. Parnell" agreeing, "informing me that he is" agreeing, "on my suggestion" agreeing, and "accepted the offer" also agreeing.

My Lords, really is not the conclusion clear as anything can be that this wretched creature, with this genuine letter before him, simply proceeded, in order to earn the money which was temptingly placed, one might say, before his eager eyes, to simply use these genuine letters to manufacture those which we are now discussing. My Lords, these two letters that I am comparing were in the first batch, and the worthlessness of Pigott's partial retractation of his confession in this wretched declaration which he made on the eve of his flight, and made at the instance of Shannon, shows its worthlessness; the fact of that letter, the forgery of which nobody would venture to doubt, is included as being one of the genuine ones.

The next parallelism of the letters is the forgery of the 11th of March 1881, with the 11th of March 1882, genuine letter. The forged letter:—"Dear Sir,—As I under-

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stand your letter which reached me to-day." The same date with an altered year 1881. "As I understand" agreeing, "your letter which" agreeing, "reached me to-day" agreeing; and then the sum of 500*l.* in the genuine letter as against 50*l.* in the forged letter. "Under circumstances" in the genuine letter, "Under existing circumstances" in the forged letter.

In Mr. Parnell's letter of the 16th of June 1882, forged letter, 16th of June 1881, genuine letter, dates agreeing, with the alteration of the year. "Dear Sir" agreeing. "In reply to yours of this date, I am sure you will feel I shall always be anxious;" in the forged letter "I shall always be anxious." Later down, agreement of the phrase "in reference to condition," and a number of other similar words; and in another forged letter of the same date of the 16th of June is introduced the still more remarkable phrase showing the parallelism, namely, that he transfers from this genuine letter of the 16th of June 1881, into the forged letter of the 16th of June 1882, the phrase "I am sure you will feel," so that in those two letters the figures of the 16th June 1882 are practically taken; very few words that are not to be found in parallelism in the genuine ones, with the letter of the 16th of June 1881; but, my Lords, I really will not pursue this point of the case further.

Your Lordships know what followed on the disappearance of this man—the wretched fate that came upon him. It was the absolute, total, hopeless collapse of this part of the case, without which your Lordships would not have been troubled with this anxious, this wearisome inquiry—the part of the case which represented a definite, distinct, clear issue, unmixed with political complications or considerations, utterly, hopelessly, inextricably broken down.

An opportunity was offered to the advisers of the prosecution for reconsidering their position. Their evidence had then, so far as evidence upon the general case was concerned, practically come to an end. There were some witnesses afterwards called of no serious consequence. Surely they must have felt, surely the experienced advisers who are here appearing for the prosecution must have felt that upon the general case their charges had by their own extravagance broken down; that their proof, their attempted proof, if every word of it was to be believed, had fallen miserably short of the enormously grave accusations they had advanced. They were then offered an opportunity, I will not say of redeeming the prestige of their paper, but they were then offered an opportunity at least of showing that they were not filling the rôle of rancorous pertinacious opponents in the prosecution of a political party. They might then at least have said—retiring so far as they were concerned, and leaving your Lordships on your own responsibility to pursue this inquiry as you please, and as far as you please—they might have said, "We have now broken down in this the most serious part of the case"—for who can doubt that it was—"The rest we retire from, and leave your Lordships to deal with." But no, the vials of infamy must be poured out upon the heads of the Irish leaders and their party to the very last drop, to the very drags; and so, in the face of this collapse, they have persevered up to to-day upon instructions—I doubt not, I am not suggesting that they had free hands in the matter—pertinaciously persevered, and with no generous attempt made, with no earnest effort made to try even at this stage to do imperfect justice to the men whom they have so foully slandered.

My Lords, I have something more to say, it is not very much I have; however, to sum up to your Lordships at no great length the evidence that has been presented, and having examined that as fully as I could do at this stage, I have next to ask your Lordships to examine that evidence, and contrast it with the charges which have here been formulated by the prosecution.

My Lords, I would ask your Lordships permission, if I might do so, to postpone that till to-morrow morning, and I am glad to say I shall not feel it necessary to occupy your Lordships at any considerable length of time. If that meets your Lordships views, I shall be glad to be allowed to do so.

Adjourned to to-morrow at 10.30.

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
PROBATE COURT No. 1,
Friday, 12th April 1889.

(*Sir C. Russell.*) My Lords, we have endeavoured, as your Lordships are aware, to lay before you in some methodical fashion, the general evidence which has been adduced on the part of the prosecution, and we have done it with a view especially of calling the attention of the Court to such portions as seem to be directed in support of the allegations against individual members of the Irish party or others. I have now, my Lords, in view of the evidence, to ask your Lordships to allow me to contrast with it, in its weakness, in its generality, the specific weighty and grievous charges which are contained in the libels in question.

We have endeavoured to condense those charges and to collate them under nine heads. I will state these charges first in language of my own and of my friends, and then I will read the passages in the libels which justify the general allegation of what the charges are.

My Lords, the first charge is this ; that the Land Leaguers deliberately based their movement on a scheme of assassination and outrage. That that is a correct statement of one serious charge I proceed to justify. On page 197 of the Blue Book you will find this sentence—

" Murder still startles the casuist and the doctrinaire, and we charge that the Land League chiefs based their movements on a scheme of assassination, carefully calculated and coolly applied. Be the ultimate goal of these men what it will they are content to march towards it in company with murderers. Murderers provide their funds, murderers share their inmost councils, murderers have gone forth from the League even to set their bloody work a foot, and have presently returned to consult the constitutional leaders on the advancement of the cause."

My Lords, I do not need to say one single word in illustration of what that means. It means that Mr. Parnell, Mr. Davitt, Mr. Dillon and the rest, were deliberately parties to setting on foot schemes of assassination carefully calculated and applied, that the enactors of those schemes returned straight from the councils of the Land League leaders, and then have presently returned to state the result of their action.

Therefore, my Lords, the charge from the first in its essence, in its marrow, has been, not a charge of constructive moral or legal responsibility of the acts of indiscreet or wicked agents, it has been a deliberate charge, namely, that the leaders deliberately used outrage and murder as the means by which their political aims were to be attained.

My Lords, that view is carried out by reference to the Blue Book, at pages 193 and 194.

" There are plenty of authentic utterances fixing upon prominent members of the Home Rule party, the guilt of direct incitement to outrage and murder, just as there are declarations placing it beyond all doubt that they are inspired by hatred of this country, and by a determination to destroy the last link that keeps Ireland bound to England."

Again your Lordships will see it is not a charge of indiscretion of making speeches at times and under circumstances of excitement which ought to have suggested to the minds of these leaders greater caution and greater self-restraint, but it is a charge that these authentic utterances were uttered by the Home Rule party to be, and that they were, direct incitements to outrage and murder.

My Lords, this view is endorsed by the Attorney-General in his opening of *O'Donnell v. Walter*, at page 67, because after referring to that passage he proceeds—" That is a true comment and a true statement of what the work of the organisation was, as I shall proceed to prove before you in the course of this case."

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Again, my Lords, at pages of the Blue Book 194 and 195, “Merely to have his revenge upon his countrymen for rejecting his advice, and to prove his declaration, that ‘all other business shall be made impossible,’ to be no idle threat, Mr. Gladstone and his party are deliberately allying themselves with the paid agents of an organization whose ultimate aim is plunder, whose ultimate sanction is murder, to paralyse the House of Commons, and to hand Ireland over to social and financial ruin.”

My Lords, as the name of that great man has been introduced I will make a passing reference, and only a passing reference. Your Lordships will have seen that the miserable attempt was made in these libels to eke out their charges by quotations from some words of that eminent man and some of his former colleagues. My Lords, of course it would be enough for me in passing to say that your Lordships look not to such declarations, not to the evidence which is produced before you; that this is not a case in which judgment is to be formed upon utterances, even from so great men as those to whom these utterances are attributed; but I wish to note, my Lords, that these former utterances are cited by the libellers at the very time they are denouncing the policy of conciliation introduced by Mr. Gladstone, the introduction of which policy is the best proof, the strongest proof that could be given, that his later view of the Irish question and the attitude and conduct of the Irish leaders in relation to that question is founded on a truer, juster, and more accurate source of information than any he had previously possessed.

My Lords, I proceed to page 206 of the Blue Book, which speaks—I am loathe to read these passages at greater length than is necessary—of how the infernal fabric “rose like an exhalation” to the sound of murderous oratory; how assassins guarded it about, and enforced the high decrees of the secret conclave within by the bullet and the knife.

My Lords, by reference back to page 197 your Lordships will see as the passage proceeds it refers to three Members of Parliament, who were then sitting in Parliament, and were members of this conclave; and they there refer to Mr. Parnell, Mr. Thomas Sexton, and Mr. Arthur O'Connor. Then they proceed to point out as a fugitive of the law, Boyton, against whom there is no proof from beginning to end of this case that I am aware of, and I have with the assistance of my friends carefully examined it. Sheridan, against whom there is no proof except that, which is no proof in point of law, that a true bill was returned against him by the grand jury of the city of Dublin; and the evidence of the man Delaney; Egan, against whom there is no proof up to the time he went to America, and no proof there except the statement of the man Beach or Le Caron; Brennan, against whom there is no proof at all, except the statement of Delaney—proved by the dates to be false—that he (Brennan) was a party to the Invincible conspiracy, Brennan having been in prison, as I yesterday pointed out to your Lordships, from the 23rd May 1881 to the 16th of June 1882, in other words, nearly six months before the initiation of this foul conspiracy, and kept in prison until one month after the tragedy at Phoenix Park.

It then proceeds: “The whole conspiracy, whether carried on by mealy-mouthed gentlemen who sit at London dinner tables, or by the fiends who organise arson and murder is one and indivisible.” (Blue Book, page 242). At page 17, upon the second day of the sitting of this Commission, the Attorney-General, following the same line, said this: “They (the leaders) did not themselves go and personally plan the outrages. They could not do it, because they had not the time, and of course would not be connected with it directly; but there the men were doing it for them, and of that system they took the advantage.” I do not know whether the Attorney-General meant or thought that was a milder form of conveying this grievous accusation, I will only say that if it be a milder form, it is certainly a meaner form of conveying it, I mean the language is meaner, because it is a statement that men did not do the thing themselves, but sent creatures to do it for them, because of course they would not be connected with it directly.

My Lords, those are the portion of the libels which justify the first general charges made.

Now I would ask your Lordships to consider this. I dealt with the letters yesterday. I felt when I was doing so that I was indeed “flogging a dead horse”; but take away the letters, and where is the foundation on which rests any part of these charges which I have now dealt with.

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Where is the evidence which, if your Lordships were sitting in a criminal court (for in truth this is a criminal charge), and penal consequences of loss of life or deprivation of liberty were to follow, which of your Lordships would think that there was a case even fit to be submitted to the consideration of a jury on this charge with which I am now dealing.

As to Le Caron's evidence let me remind your Lordship, when these libels were penned Le Caron or Beach was, I presume, unknown to the agents of the "Times," for I do not suggest, I do not mean to insinuate even, for if I meant to insinuate I should state it broadly, that at that time Mr. Anderson was in confidential communication either with Mr. Macdonald or Mr. Houston. As I understand, Beach or Le Caron is a kind of a *Deus ex machina*, perhaps, *Diabolus ex machina* would be the better expression, who comes forward disgusted at the impotent and weak manner in which the case is presented, who comes forward to save the prosecution from utter ruin and collapse.

My Lords, his whole story is no evidence against Mr. Parnell, except in so far as you can place reliance, when you have heard the story, upon the scope and measure, the character of the interview which he alleges he had with Mr. Parnell in May of 1881; and as I have alluded to this matter, may I, in passing, observe (I think I did yesterday observe), I may repeat it, that Le Caron does not allege that at the time of this interview he was introduced or mentioned in any sense as connected with any secret or unconstitutional organisation; nay, further, that he does not allege that at that time the secret organisation with which he was connected was, if it ever was, which I greatly doubt, in any way committed to the policy of dynamite and outrage.

Lastly, I have shown your Lordships, or endeavoured to show your Lordships, and I hope I have succeeded in showing your Lordships, the whole current of his communications to this country are inconsistent with the story in its main and essential features which he desires to convey.

The second charge is this, that the leaders, by their speeches and those of their subordinates, directly incited the people to outrage, and took no step by speech or act to prevent, to stop, or to condemn the outrages.

That, your Lordships will understand, is our language in collating this second general head of charges.

Now for my justification for putting it in this form. At page 73 of the Blue Book your Lordships will find the Attorney-General says:—

"On the one side I shall put before you affirmative evidence of the
"infamous speeches"—directly inciting to outrage, arson, &c.—"that they
"were being made by many of these men, sometimes by the leaders themselves,
"at other times in their presence, and on not one single occasion do we find the
"slightest speech or one single expression directed to diverting the minds of the
"people from outrage, to diverting them from the acts which certainly followed,
"and which to the knowledge of these men followed."

And again, on page 74—

"During the whole period of these years there is not so far as I know, one
"solitary speech amongst the thousands delivered in which any one of these men
"deprecated the outrages that were undoubtedly going on."

My Lords, again, in the opening of this Commission, at page 13, the Attorney-General says:—

"They, with scarcely an exception, never denounced these outrages or took
"any steps to put an end to that which was, if I am correctly instructed, one of
"the most cruel tyrannies that ever existed in any country or in the history of the
"world. Many of these, whose names are included in these particulars, could
"and must have known that sums of money were being paid, not in an excep-
"tional instance, but over a long period of time to persons who were engaged in
"carrying out acts of violence, and the crimes to which I have referred."

Then at page 46 he makes the further statement, in which he said, and afterwards indeed qualified, that he believed it would be possible to say that in one or two speeches there were something like references to, he could not call it condemnation of crime. At page 46 he says:—

"No single step is taken to denounce the crime or those guilty of any of
"those outrages."

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[Continued.]

I would only remind your Lordships in passing that the evidence is the other way ; that beginning with the circular, I think of December 1880, followed by another circular, followed by 30 speeches, I think, of Mr. Davitt immediately after that circular of December, and continued up to the time of his arrest in February 1881, followed by a volume of speeches which I have here, but will not trouble your Lordships by referring to—I have referred to them before—dealing with this very subject of condemnation, a collection of evidence that I, certainly taking an interest as I do in Irish politics, did not know of the existence of to the same extent, and I have no doubt that many others who depend upon exclusively English sources of information were in the same position, but in view of the evidence called for the “Times,” the evidence of the reporter, I think his name was O’Malley, who spoke of attending and reporting 200 Land League meetings, and who told your Lordships that with hardly an exception, I think his expression was “generally,” at those meetings there was an appeal to the people to abstain from crime, and a denunciation of crime by the chairman or clergyman, or some of the prominent speakers, at each of these meetings. The other constable, who was a shorthand reporter (I think there were only two so described), was a man called Irwin, very early called in the course of the case, who gave evidence to a similar effect. So much for the second charge.

The next is the third. Again stating it in my own language, that if at any time any of the leaders have verbally condemned or discouraged outrage and crime their language was insincere and hypocritical.

In connexion with the second charge there was a passage I did wish to have read ; it is on page 316 of the Attorney-General’s opening ; in connexion with the passage which I have already read. It is this, after stating no attempts were made to discourage outrage he proceeds to say :—

“I also ask your Lordships to draw the conclusion that it was a system and
 “not an accidental effusion of acts of violence by any agents who were beyond
 “the control of the central body ; it was an organised conspiracy ; that is to say,
 “an organised conspiracy for acts of violence and outrage.”

My Lords, the third charge I have read. On page 104 of the Blue Book the libel proceeds :—

“It may well be that at certain moments the murder of landlords and tenants
 “is honestly discouraged by the League, and the gentlemen who do its work in the
 “House of Commons. . . . These tasks must be made as easy for them
 “as possible.” I think that must be *their* tasks. “Hence murder is verbally
 “discouraged, and Mr. Parnell judiciously drops the inspiring language he is
 “accustomed to address to his brother conspirators when dollars are required.”

So as to Mr. Michael Davitt, at page 208.

“On this occasion Davitt repudiated outrage or assassination as a means of
 “helping Ireland.” Now his hypocrisy. “Ten days later he met the agent of
 “the Assassination Party in conference at Astor House. On Mr. Davitt’s
 “motion they resolved to form an Irish confederation with Mr. Parnell’s
 “assistance.”

And so, my Lords, in the opening of this Commission the Attorney-General, making a similar reference to Mr. Parnell, sought to sustain and to support that reference with regard to Mr. Parnell’s conduct on the occasion of the denunciatory manifesto following the Phoenix Park murders, and accordingly the Attorney-General, at page 171, is instructed to say, “It will be proved before you, by Captain O’Shea, that Mr. Parnell
 “objected to sign that document and only signed it under the necessities of the case
 “and objected to its terms.”

My Lords, Captain O’Shea was called into the box, and Captain O’Shea, as your Lordships will recollect, said that was not true, and expressed as every other witness who had any knowledge of that matter, and others will be called before your Lordships, the state of absolute prostration in which Mr. Parnell and his immediate colleagues were at the news of that dastardly blow, not merely at the lives of two men, but at the policy that they represented. And as I have mentioned Captain O’Shea’s name, let me remind your Lordships of what he said of Mr. Parnell’s attitude in relation to it. At page 400 he is asked, “Do you believe these men were opposed to his policy?—(A.)
 “Of course, if his policy was not dynamite and they came over with dynamite, of course
 “they were opposed to his policy. (Q.) And you believe he was so opposed?—(A.)

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[Continued.]

“ That Mr. Parnell was opposed to dynamite, yes, most certainly, as I have said.
 “ (Q.) And to outrage?—(A.) And to outrage. (Q.) You were perfectly confident
 “ that he had a sincere desire to follow out this agitation on constitutional lines?—(A.)
 “ Certainly. I can go even further if it is any advantage to you.” And then a little
 later he makes a reference to those letters, the forged letters, as to which he says they
 came upon him as a startling surprise and revelation.

My Lords, the fourth charge is this, “ That no other cause has been or could be
 “ suggested for the crime in Ireland from and after 1879 except the agitation of the
 “ Land League and the speeches of its leaders.” At page 73 of the Blue Book this
 passage occurs. “ The outrages numbered literally thousands and there is every reason
 “ to believe that they can only be traced to the Land League agitation.”

At page 82 of *O'Donnell v. Walter* there is this:—

“ No apparent cause of any sort or kind has ever been suggested, or can ever
 “ be suggested, with all the ingenuity of my learned friend, and those who assist
 “ him, for this extraordinary outburst of crime, excepting the agitation of the
 “ Land League, which had been started in the autumn of 1879, and continued
 “ throughout the whole of the year 1880 and 1881.

My Lords, in view of the argument, the historical argument, with which I have been
 obliged to trouble your Lordships at very considerable length, do I need to make an
 answer to that charge? How imperfectly the Attorney-General must have been
 instructed when these statements were made! I have shown your Lordships how,
 with recurring distress, there was recurrent crime always springing from the same
 causes, the hapless condition of the actual tillers of the soil in Ireland in relation to
 those who had the proprietary rights in the soil.

My Lords, the fifth charge is this: that the funds of the Land League were
 habitually used to pay for outrage, and were used to procure the escape from justice
 of criminals. At pages 154 and 253 of the Blue Book (the latter reference being a
 reference by the Attorney-General) there is this:—

“ But the fact is clear, however it be accounted for, that several months after
 “ he resigned the treasurership he (Egan) had funds in hand to enable his
 “ fellow-criminals in the Phoenix Park murder plot to escape to America.”

I have already shown your Lordships that there is not one tittle of evidence sufficient
 to affect the character of the meanest of God's creatures against Egan in relation to
 this. Here he is spoken of as a fellow-criminal in the Phoenix Park murders. It
 proceeds at page 254:

“ On the 18th of February 1883, her sister-in-law had returned from Ireland,
 “ with 200*l.* from Egan, to enable the whole gang to escape to America; and on
 “ Mrs. Byrne's discharge from custody Egan made her a further grant of money
 “ for the same purpose.”

My Lords, on neither of those statements is there (I will not complain of being
 interrupted; I ask to be interrupted if I am wrong) one tittle of evidence submitted to
 this Court. I want to know whence came this information, if there were information,
 which justified the writer of these libels in making so serious a charge as that? Were
 the “ Times,” even at that early date, in communication with spies and with informers
 who were giving them information for payment; but who are found to be utterly
 unproduceable, utterly unworthy of credit; so that no attempt is made before your
 Lordship to substantiate the grave and weighty charges founded upon their information?
 At page 13, my Lords, the Attorney-General proceeds before the Commission. I have
 already read that passage. I will not read it again. It is one in which he refers to
 the payments—not an exceptional instance, but over a long period of time. I will not
 trouble your Lordships by referring to that. But then, my Lords, comes a passage
 with which I really must trouble your Lordships. I have referred to it in my general
 opening; I must do so again. The Attorney-General says at page 186:—

“ I think it will appear that an emissary of the Land League, an agent of the
 “ Land League, used to get the money from the treasurer—either Mr. Biggar or
 “ Mr. Brennan or Mr. Egan, any one of the officials who might be in charge—used
 “ to take down the money, 20*l.* or 30*l.*, having received the money of course from
 “ Mr. Biggar, or from any of the other officials who handed it—used to take down

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“ the 20*l.* or 30*l.* into the district, and then distribute it locally to the men who were to carry out the outrages.”

My Lords, again I ask where is there a title of evidence in support of that allegation? The justification which the Attorney-General and those who instruct him, I suppose, thought they had in their minds were the forged letters attributed to Patrick Egan. Here is the money, but so far as evidence in this case is concerned, I shall look with some curiosity (I am afraid it may be at a remote period) at the time when the Attorney-General comes to grapple with these statements which I am now making, to see the course which he will feel himself bound and compelled to take in relation to them.

My Lords, the sixth charge is this : that at the time of the Kilmainham negotiations, Mr. Parnell knew that Sheridan and Boyton had been organising outrage, and therefore wished to use them to put down outrage. At page 139 of the Commission on the second day, the Attorney-General uses this language :—

“ You will, I think, have no doubt upon the evidence which I shall be able to lay before you, that Mr. Parnell knew perfectly well not only that the outrages had taken place, not only that the outrages had followed in various parts of Ireland from the speeches that had been made by the representatives of the Land League, but knew the persons who had been mainly instrumental in the organisation of those outrages ; and I particularly wish to make myself clear with regard to that matter. I have mentioned that Sheridan was one of the persons who was the chief organiser in the west, and Boyton was one of the persons who was the chief organiser in Leinster.”

Again, I pause to ask, in the heterogeneous mass of evidence presented to this Court, extending over a period of some 60 days, or nearly 60 days, excluding the five or six days which the Attorney-General took in his opening, where do I find one scintilla of evidence of outrage organised by Sheridan in the west, or of outrage organised by Boyton in the east, in Leinster? I say there is none.

Again, at page 166, the Attorney-General says this. It is foreshadowing evidence which, I presume, the Attorney-General was instructed Captain O'Shea would give, but which he did not give :—

“ The interview with Captain O'Shea is most important, because, if what passed between Mr. Parnell and the witness I shall call be true, undoubtedly he knew that Sheridan had been actively and intimately engaged in the promotion of outrages in the west ; that Boyton had been actively engaged in the promotion of outrages in Leinster ; that Egan had been supplying the funds with which outrages had been promoted, not only in those places, but elsewhere.”

My Lords, so much for that, the sixth head of charge.

The seventh is this, that the Invincibles were a branch of the Land League, and were organised and paid by Egan, the treasurer of the Land League. The Blue Book, at pages 95, 98, 100, 101, 102, 123, and 211, I will proceed to read. The Attorney-General, at page 100, says :—

“ That the Invincible party, or I will say the outrage party, of the Land League were prepared to threaten, aye, to do violence, it may be, to Mr. Parnell, because he had denounced them.”

On the same page :—

“ The result of Mr. Parnell's action in the House of Commons would be to repudiate the action of this Land League body, by which I mean the body who were capable of these outrages.”

On the next page, 101 :—

“ Mr. Parnell did state that the Phoenix Park murders, in his opinion, proceeded from some other organisation. It may be that that is a matter which you will have to take into your consideration, but having regard to what I have told you, I shall be prepared to prove about Egan, Brennan, and the men who were convicted, I think you will have no doubt as to the organisation from which those Phoenix Park murders proceeded.”

I need not point out that that means from the Land League.

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“ It must have taxed the wit of a man even as clever as he is to know how he
 “ could deal with the conflicting elements which were raging around him, the
 “ extreme branch of the Land League, or the members of the Land League, who
 “ had so acted in connexion with what had just gone before.”

And then in this connexion comes in the only ground—the rotten ground—that has given way beneath the feet of the Attorney-General, namely, his reference to the forged letter, Egan to Carey, of the 25th October 1881, as to which he says on page 123:—“ You will not fail to note the coincidence in November 1881 ”—that being the time, your Lordships will recollect, according to the evidence of Delaney, which may or may not be true, that the Invincible conspiracy was first gathering head in Dublin. He spoke of the end of 1881 at one place, and October at another place. And see how the charge is woven into the letters. Having made this broad statement, the Attorney-General refers to the letter Egan to Carey of October 1881—the very time.

“ I have by this post sent 200*l.* He will give you what you want. When
 “ will you undertake to get to work and give us”
 (the Land League)

“ value for our money ? ”

And then says the Attorney-General—quite rightly and justly, if the letter were not a forged letter—

“ You will not fail to note the coincidence in November 1881 of this letter of
 “ Egan’s from Paris, sending the 200*l.* to him (Carey) when value was to be
 “ given for their money.”

My Lords, does not this let the light in upon the forgery of these letters? Does it not show to your Lordships that these letters were forged to fit in with the theory that the Land League and the Land League leaders were parties to this atrocious conspiracy? For, as my learned quite properly reminds me, it is necessary to recollect that that letter was in the second batch of letters, therefore was forged as supplying the demand, the political appetite, for more libels of this kind to fit in with and to support the previous general allegations of libel which had been published without circumstantiality in previous articles.

Then, my Lords, when we come nearer to the day of that awful scene in the Phoenix Park in 1882, at page 98, we have this further reference: 11th March 1882, Egan to someone, I know not whom.

“ Dear Sir, As I understand your letter which reached me to-day, you cannot
 “ act as directed unless I forward you money by Monday’s post. Well, here is
 “ 50*l.*: more if required.”

And then your Lordships will recollect finally in this connexion the letter in which the reference is made to the contribution to the A. fund, and in which the initial letter of the name of the man Mullett, one of the prominent actors in that atrocious scene in the Phoenix Park is introduced, again written for the purpose of fitting in with the previous general theory designed skilfully—with skilful wickedness designed—to try by means of these forged documents, to fix the stain of complicity upon the Land League and its leaders.

At page 211 of the Blue Book, your Lordship will find a reference to Mr. Egan which is important. It is a reference to Pat Egan. This is the phrase:—

“ The man who hinted to the Invincibles that talk would never open the
 “ gates of Kilmainham,”

which again is repeated at page 228. My Lords, what was the authority for that statement? Where is the evidence in this case that goes by one tittle—I care not whether evidence from tainted or unworthy sources or not, but from any source—in support of that statement? Where did the “ Times ” get their information? I do not mean to suggest that this was a deliberate coinage out of their own brain, but what was the information? Where was it? It has not been produced. No attempt to produce it has been made, and we have no explanation why it has not been produced.

Your Lordships will recollect that in relation to these Egan-Carey letters, there was one circumstance especially adding to that volume of circumstances which ought even more to have put the “ Times ” upon its guard, if they were not wholly blinded by a

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spirit of partisanship, and carried away by the reckless desire to injure political opponents. That was this: it was public information, public knowledge, that a search had been made at Carey's house, that two genuine letters of Patrick Egan to Carey had been found by the police. Those letters have been produced, and are before your Lordships. They are letters perfectly innocent, perfectly harmless, and surely, when in 1887, years after that search, years after the trial, years after the conviction of the men engaged in this atrocious plot, and when there had been nothing forthcoming from any quarter to implicate Egan, or to point to his complicity in that plot—surely it ought to have put the “Times” upon inquiry as to the source from which those letters came; how, if it was addressed to Carey, it had escaped the search of the police; how, if it was addressed to Carey, it had got into the hands from which it reached the “Times.” No! From beginning to end no inquiry. I might almost say eyes deliberately shut against inquiry into the history of these forgeries.

Then, my Lords, at page 225 of the Blue Book, still under the same seventh head of charge referring to the *fac simile* letter published with the article from which I have just read a passage, it says:—

“ It is right and necessary to explain that the ‘Dear Sir’ is believed to be Egan, and that the letter was addressed to him in order to pacify the wrath of his subordinate instruments in the Phoenix Park murders.”

And at page 253:—

“ But the fact is clear, however it be accounted for, that several months after he resigned the treasurership.”

I have already referred to that statement about Egan (wholly without evidence) as to his having given a sum of money to some relation of Mr. Byrne's. But your Lordships will observe the statement there is that it was believed to be addressed to Egan. Well, of course, that has gone to the ground, and proved to be a forgery, and I suppose it was upon this basis that the Attorney-General felt himself justified, in O'Donnell v. Walter, in insinuating that these letters—not this one only, but these letters—were addressed to and received from confederates of Mr. Parnell, as one of the reasons why, in these days of dynamite and assassination, he was not willing to expose those confederates to danger from their disclosure.

My Lords, the eighth head of charge, and I am glad to say the last but one, is that Mr. Parnell was intimate with the leading Invincibles; that he probably learned from them what they were about when he was released on parole in April 1882; that he recognised the Phoenix Park murders as their handiwork; and that, knowing it to be theirs, and partly in fear for his own safety, he secretly qualified and revoked the condemnation which he had thought it politic publicly to pronounce.

At page 169 the Attorney-General, referring to this matter before your Lordships, thought it prudent to try and tone down the weight of the charge which the “Times” had made in relation to this matter directly against Mr. Parnell, as I shall show you, Mr. Justin McCarthy, and some others. The Attorney-General says:

“ It is no part of my case to suggest, nor do I propose to give any evidence to suggest, that prior to”
(your Lordships will observe the distinction he draws)

“ that prior to the Phoenix Park murders, Mr. Parnell had any knowledge of any such murders being contemplated.”

My Lords, I prefer for this matter to take what the “Times” said, to judge what the “Times” wrote, and to ask your Lordships what was the meaning the “Times” intended its readers to adopt. In order to convey the whole of this to your Lordships, I will read a passage of rather greater length than any I have previously troubled your Lordships with. It begins at the bottom of page 200 of the Blue Book.

“ Mr. Parnell was liberated on parole on April 10, 1882, to attend his nephew's funeral in Paris. He was late for the funeral, but he passed several days in Paris and in London. Messrs. Egan, Sexton, and Healy, happened to be in the French capital, while Mr. Justin Mc'Carthy, the chairman, and Mr. Frank Byrne, the general secretary of the League, in this country (under its then alias of ‘The National Land and Labour League of Great Britain’), went out to meet the Irish mail at Willesden the evening of their leader's release;

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“ Mr. Frank Byrne, indeed, ‘was the first to enter the compartment and
 “ ‘greet Mr. Parnell, whom, he warmly shook by the hand. That gentleman
 “ ‘appeared delighted at seeing him,’ and expressing (*sic*) his satisfaction
 “ at meeting him. But Mr. Parnell had the inexpressible mortification of
 “ informing his friends in both cities, that his parole bound him to refrain
 “ from politics. His honour, indeed, was the sole obstacle to the most exhaustive
 “ discussion of all pending transactions between the confederates. The heads of
 “ Mr. Parnell’s several organisations were at hand. They had many vital secrets
 “ on their minds. They had every facility for private conference with their chief.
 “ All of them were not distinguished by a chivalrous regard for truth. But on
 “ the 24th, Mr. Parnell returned to Kilmainham, his pledge, we are assured,
 “ inviolate, in letter and in spirit. He had his reward. He was definitively
 “ released on May 2, and hastened to London with his liberated lieutenants.
 “ On Saturday, May 6, he escorted Michael Davitt from Portland Prison
 “ to town. At Vauxhall the chiefs were met by Mr. Frank Byrne,
 “ and other favoured disciples. The same evening, Lord Frederick
 “ Cavendish and Mr. Thomas Burke were stabbed with amputating knives
 “ in the Phoenix Park. The knives were brought to Dublin for the purpose by a
 “ woman, whom one of the principal assassins believed to be Frank Byrne’s wife.
 “ The shock to the public conscience was tremendous. On the Sunday, Davitt
 “ drew up a manifesto recording his own horror and that of his co-signatories,
 “ Messrs. Parnell and Dillon, at the deed. The same day, Mr. J. E. Redmond, M.P.,
 “ spoke at Manchester. He, too, condemned the Chief Secretary’s murder. But
 “ it is a point of high significance, noted at the time, that at this meeting ‘no
 “ ‘reference whatever was made to the murder of Mr. Burke.’ Not less curious
 “ is the prescience which enabled Mr. Parnell to assure a representative of the
 “ ‘France’ that ‘the crime was neither organised nor executed by the Fenians
 “ ‘. . . . but by assassins who may, I think, be members of some association
 “ ‘much more extreme.’”

My Lords, I reject the attempted gloss which the Attorney-General has sought to put upon that passage. No man who hears me, though I care not what anybody else thinks, except your Lordships, none of your Lordships who heard me read that passage, can doubt what it meant, namely, that it meant to level at the heads of those men who are there mentioned, the charge that they had personal knowledge, and that they were taking active part and had taken active part in this most atrocious crime.

Again, at pages 216, 217, and 225, there are passages to which I must call your Lordships’ attention. One is a letter published in the “Times” signed X. No references were made, as well as I remember, to the document which proved conclusively, that Mr. Parnell was in direct association with three of the most infamous of the gang of murderers known as Invincibles. The letter is signed X. Will it be supposed that that has reference to a meeting in relation to the demand for an amnesty to be granted by the Crown, to prisoners then remaining in custody, and who were suffering in respect of the Fenian movement of 1865 to 1867; and in an address of welcome to Mr. Michael Davitt upon his release from prison, that amnesty movement, which resulted in that release, was instituted openly. It had at its head Mr. Isaac Butt and citizens of the highest respectability in Ireland, men who had no sympathy whatever with the Fenian movement at all, but who were joining in the appeal to the Crown for the extension of the Crown’s clemency in the interest of the peace of the country—1887, my Lord, is the date—five years.

(*The President.*) This has escaped my recollection—about the letters signed X.

(*Sir C. Russell.*) Your Lordship will find it in the Blue Book, at page 216. It is included in what is called “Parnellism and Crime.”

Then there is another letter from a gentleman bearing on the same subject, which relates to that year 1878. I will not dwell upon it. This gentleman has the manliness to sign his name. He is a gentleman from some of whose other writings I have cited, Mr. Philip Bagenal. I have another reference to a letter on page 225. At page 225 they say—this, my Lords, is in relation to the *fac simile* letter—

“ We particularly direct attention to the erasure in the manuscript, as under-
 “ signed evidence of authenticity; and should any questions be raised as to the
 “ body of the letter being in another handwriting, we shall be prepared to adduce
 “ proof that this peculiarity is quite consistent with its genuine character.”

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My Lords, in reference to the article from which that passage is taken, I will adopt the description given of it by the Attorney-General, at page 143 in the Blue Book, where he says :

“ There cannot be the slightest doubt that a more gross libel never was written of any public man than this paragraph which I am now reading with reference to Mr. Parnell.”

I agree with the Attorney-General. I adopt his language and description.

Now, my Lords, I come to the last charge, and that is this, that Mr. Parnell on the 23rd January 1883, by opportune remittances, enabled Byrne to escape from justice to France. I read in support of that passage one from the Blue Book at page 254 and one at page 256.

“ It was an opportune remittance (says the leader) from Mr. Parnell himself on the 23rd January which had enabled Byrne to escape to France before the warrant for his arrest reached Scotland Yard.”

And this again is repeated in the leader on page 252, with this addition :—

“ That he should have supplied Byrne with funds is quite in harmony with the tone and purport of his letter on the Phoenix Park murders.”

And again at page 256 :—

“ The question, however, is not one of opinion but of fact.”

I agree.

“ If Mr. Parnell supplied Byrne with money to leave the country in January of 1883, the significance of the action cannot be obscured by any casuistic subtleties or argumentative sleight-of-hand.”

I agree, and I am glad that at last I have come to a definite, specific charge which can be definitely and specifically made. The last formed one definite and specific charge. This forms one definite and specific charge too.

Now, my Lords, let me give your Lordships connectedly the history of the whole matter, giving it not by a statement of my own, but by a reference to contemporaneous written record, and contemporaneous written letters. Your Lordships will recollect the statement of Mulqueeny, which I may refer to as an incident at this part of the case, namely, that the English branch of the organisation was frequently implemented with funds from the Irish branch; that Frank Byrne was the secretary of the English branch, which had no connexion with the Irish branch; that Frank Byrne, as the secretary, was the person who had paid the liabilities of the English branch to the organisers, and so forth.

Now, my Lords, recurring to the story of a meeting of the executive of the Land and Labour branch of Great Britain, held 15th December 1882, at Palace Chambers, the following minute appears :—

“ A letter from the general secretary was read ”—
that was Byrne—

“ stating that he was still unfit to return to business, and drawing the attention of the executive to its financial position, there being only a sum of 1*l.* 6*s.* 1*d.* on hand if the vote asked for at present meeting should be adopted; and that very little money would come in during the holidays, while the ordinary expenses would still be running; and that a printing account of 23*l.* was due. He advised an application to the Irish National League, through Mr. Parnell, for an advance to cover present requirements. The secretary also suggested an adjournment of a fortnight to cover the Christmas holidays.”

“ At this meeting it was proposed by Mr. Cronin, seconded by Mr. Rogers, and resolved (Mr. J. Carell only dissenting)—‘ That the Executive instruct the Secretary to apply through Mr. Parnell to the Irish National League for a sufficient sum of money to meet our immediate requirements.’ ”

This is the 15th December. On the 29th December the following minute appears :—

“ The general secretary wrote that he was still unfit to return to his duties, and that he had written to Mr. Parnell making application for an advance of 100*l.*, to which he had received no reply.”

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Now, my Lords, the next is a letter of the 6th of January 1882, from Byrne direct to Mr. Parnell. This letter has been disclosed to the prosecution, and they have seen it or had an opportunity of seeing it. On the 1st of January Mr. Byrne wrote to Mr. Parnell in these words: "Dear sir, I wrote to you about a fortnight since"—and if your Lordships will just bear the dates in mind you will see that will bring you back to the 15th of December, or about the 15th of December, when he was first authorised by the committee to write to Mr. Parnell. That letter is not forthcoming. Mr. Parnell has not been able to find it, but there is no doubt that it was written. Mr. Byrne's letter is in these words:—

"C. S. Parnell, Esq. Dear sir,—I wrote to you about a fortnight since, asking an advance from the Irish National League of 100*l.* for the purposes of our organisation. This letter, Mr. McSweeney tells me, you have not received, and as the matter is pressing I now beg to bring it under your notice. At a meeting of the Central Executive held on Friday, 15th December last, I was instructed by resolution 'to apply to the Irish National League through 'Mr. Parnell, M.P., for an advance of a sufficient sum of money to meet present 'requirements.' Less than 100*l.* would be of little use for this purpose. Our liabilities (pressing) including rent due last quarter, being upwards of 100*l.* This state of things is due partly to the nonpayment of the usual remittances during the Christmas holidays, but much more largely to the fact that for some time past, owing to a difference in title, &c., we have not seemed to be working on the same lines or in harmony with the Irish National League. For some time our income has been sadly diminishing, and I am convinced will continue to diminish, except we can show by fresh action of ours that we are still fully in accord with the exponents of Irish popular opinion in Ireland. The proposed change of the name and administration of funds will doubtless have its effect if adopted, of which I have no doubt. The branches have been given until the 25th inst. to decide. May I ask you to have this application considered at once, and acquaint me with the results. The Executive has not been able to pay salaries to organisers or office staff for the past fortnight.

"I am, dear sir,

"Yours faithfully,

"FRANK BYRNE,

"Gen. Secretary."

Now, my Lords, the next is an entry in the minutes of the same body of the 5th of January. At a meeting of the Executive held January 5th, 1883, the following entry appears on the minutes:—

"A letter was read from the General Secretary, who was still too unwell to be present."

—your Lordships will have no doubt when you hear the evidence that this Mulqueeny was not shamming illness, but that he had been for a considerable time in ill health—

"in which it was stated he had not yet received a reply to his application to Mr. Parnell for an advance of 100*l.*, and that the financial position of the executive was very bad, the organisers being without salary for three weeks, and dealing generally with the business of the meeting."

Now, my Lords, that brings us down to the 5th of January, and at that time, undoubtedly, Mr. Parnell wrote to the Irish branch his letter, which is not yet forthcoming. Oh, yes; I am wrong. I thought it was a letter from Dublin. It is forthcoming. The letter which Mr. Parnell wrote was on the 9th of January 1883. It is addressed to the hon. secretaries of the Irish National League, Dublin:—

"GENTLEMEN,

"I have been requested by the executive of the National Land and Labour League of Great Britain to apply to you for an advance to them for the sum of 100*l.* to enable them to pay some current expenses pending their re-organisation on the lines of the Irish National League.

"I may explain that the treasurers of the late Land League were in the habit of making the League of Great Britain similar advances from time to time, and I shall be very glad if you will bring this application before the next meeting of

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“ the organising committee, and say to them that I think it desirable that the grant should be made.

“ I beg to enclose you exchange on the Consolidated Bank of , Limited, for 206*l.* 3*s.* 8*d.* which I have received from the Newark Branch of the League, New Jersey, and also two letters accompanying same, which I will thank you to have published in the ‘Freeman’s Journal,’ ‘United Ireland,’ and the ‘Nation,’ when publishing your next list of acknowledgments.

“ I think it would be well to have fortnightly meetings of the Organising Committee on some fixed day, so that all members might know when to attend them, as there will probably be sufficient business for us to consider at these meetings.

“ I also beg to enclose a note for 5*l.* which has been sent to me anonymously, accompanied by the following memorandum : ‘To the Irish National League, from one who most unhappily has written, spoken, and thought evil of Ireland’s friends.’ In acknowledging this sum I shall be glad if you will also give the memorandum.

“ Please send a formal receipt to Mr. Mullen, whose address you will find in the enclosed letter, and oblige

“ Yours, very truly,
“ CHAS. S. PARNELL.”

Now, my Lords, that is on the 9th. It comes before the organising committee of the League in Dublin on the 17th, and this resolution is moved and carried :—

“ On the motion of Mr. Thomas Sexton, seconded by Mr. J. J. Clancy, it was resolved—That the application of Mr. Parnell for a grant of 100*l.* in aid of the Land and Labour League of Great Britain should be acceded to, and the Treasurer was empowered to forward the amount ;”

and in the cash-book of the League, under the date of the 18th January 1883, appears this entry :—

“ By sum voted to the Land and Labour League of Great Britain, at direction of Mr. Parnell, 100*l.*”

And on the 23rd of January Mr. Parnell writes to the secretary of the Dublin branch a letter of acknowledgment, thus :—

“ Dear Mr. Harrington, I have received your letter of the 20th instant, with cheque for 100*l.*, which I have handed to the secretary of the Land and Labour League of Great Britain, with a request that formal receipt be sent to Mr. Webb for same in due course, as you suggest.”

Mr. Webb was the treasurer of the League in Dublin.

Now, my Lords, there are two other letters I have to read to make this matter perfectly clear to your Lordships. Those are the letters of Mr. Frank Byrne to the Executive, of the 8th of February 1883, and the letter from the same Mr. Frank Byrne to Mr. Quinn, treasurer of the English branch of the League here, on the 10th of February 1883. And perhaps your Lordships will kindly allow my friend to read them for me.

(Mr. Asquith.) “ 8th of February 1882.” It is set out at page 2887 :—

“ GENTLEMEN,

“ I regret much that since I left home I have not been able to write to you before now, as in addition to my lung complaint I have been suffering from rheumatism in my right hand and arm, which made it impossible for me to write. It is much better now, but still far from being in a state to permit me to write much. I was, as you have no doubt been informed by Mr. McSweeney, obliged to leave suddenly by the positive orders of the doctor, and could not, in consequence, communicate with you previous to my departure. Mr. McSweeney will also have informed you that I received the promised cheque, 100*l.*, from Mr. Parnell, on the day I left London. Immediately on my arrival in Paris, I proceeded to discharge all the liabilities for which I had authority, and I now enclose balance sheet showing income and expenditure from December 30th. You will see I have no account of either since January 20th, except so far as re-adding the

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“ receipt of 100*l.* on 23rd, and cash sent to Mr. Walsh, for fortnight ending
 “ January 20th, and my own salary up to Saturday next. The cash sent to
 “ Mr. Walsh was not authorised by you as his returns, which I now enclose, have
 “ not yet come before you. They are of the usual character, and I hope you
 “ will adopt them to-morrow night. I shall to-morrow forward to Mr. Quinn,
 “ cheque or draft for amount on hand, 35*l.* 17*s.* 7½*d.*, and Mr. McSweeney, will,
 “ no doubt, supply you with account of receipts and expenditure since
 “ January 20th. As it is impossible for me to conduct the business of the
 “ organisation from such a distance, and as it is likely to be some weeks before
 “ I shall be fit to return, I would respectively request you to relieve me for the
 “ present from the responsibility attached thereto, and I would also suggest that
 “ as your income at present is not large, that you would consider whether you are
 “ in a position to continue to pay a salary of an official who cannot perform his
 “ duties. While making this suggestion, I would also remind you that my
 “ position is not an independent one. If not already done, I would advise the
 “ official alteration in the name, &c., of the organisation and its announcement to
 “ the branches immediately. I shall be happy to hear from you in reply, and
 “ information upon any point you may require, I shall, of course, supply at the
 “ earliest moment.

“ I am, Gentlemen,

“ Yours faithfully,

“ FRANK BYRNE,

“ Gen. Sec.”

The other letter to Mr. Quinn, is at 2408, and is as follows:—

“ MY DEAR QUINN,

“ February 10th, 1883.

“ I DARESAY you will have heard before now that I had left London for a
 “ warmer climate, in accordance with the positive orders of the doctor. I was
 “ obliged to leave suddenly, or I should have tried to see you before my
 “ departure.

“ I am glad to say that already I find a considerable improvement. The
 “ doctor thinks, however, that as soon as I am sufficiently strong I should take a
 “ long sea voyage, and he recommends America. I did not like the idea, but if
 “ my restoration to health depends upon it, of course I must go.

“ I enclose you a cheque for 38*l.* 17*s.* 7*d.*, the amount of cash in my hands
 “ belonging to the Executive. At the last settling we had, you held a sum of
 “ 1*l.* 6*s.* 1*d.*, so that you will now have 37*l.* 3*s.* 8*d.* in hand.

“ If you can spare the time, and have the inclination, you might drop me a
 “ few lines here.

“ I wish you would attend next Executive meeting and inform them of receipt
 “ of this, or else write them.

“ I am, dear Quinn,

“ Yours faithfully,

“ FRANK BYRNE.

“ P.S.—Kind regards to Mrs. Quinn and Tom.”

My Lords, I have a serious comment to make upon this allegation. Let me remind your Lordships of what the allegation is.

“ It was an opportune remittance from Mr. Parnell himself on the 23rd January
 “ which enabled Byrne to escape to France—that he should have supplied Byrne
 “ with funds is quite in harmony with the tone and purport of his letter on the
 “ Phoenix Park murders. The question is not one of opinion, but fact. If
 “ Mr. Parnell supplied Byrne with money to leave the country in January 1883,
 “ the significance of the action cannot be obscured by any casuistie or subtleties
 “ or argumentative sleight-of-hand.”

What authority had they for making that original statement? They had not, we have been told, I have no doubt truly told upon his instructions by the Attorney-General—they had not known of the letter to Quinn, the treasurer, until the eve of the O'Donnell *v.* Walter trial. They had not any knowledge of the letter to the Executive

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until during the time of the O'Donnell *v.* Walter trial, and it comes, says Mr. Macdonald, to him from what quarter he knows not, in an envelope without a name or anything to identify its sender. If then he had neither the letter to the Executive nor the letter to Quinn the treasurer, where was the information upon which this grave, this wicked charge was based? Were the representatives of the "Times" receiving information from traitors in the employment of the Land League, and were they daring, were they venturing upon such information, from such tainted sources, to launch such accusations of defamation against the character of public men?

Now, my Lords, that the story has been told, what does it disclose? A plain, straightforward, thoroughly innocent transaction, in which Mr. Parnell is merely made in the first instance the medium of communication with the Dublin branch, and in the next instance he is made the medium of communication, from the Dublin branch, to pass on a cheque to Mr. Byrne. But I go further, and I say that if they had had in their possession both these letters, not only would it have been no foundation for the charge, but it ought to have conveyed to them, if their minds and judgments were not wholly blurred, and their sense of right feeling and discretion wholly gone, it ought to have conveyed to them, one or other or both of the letters, that that was a perfectly honest, open, and above board transaction, free of the imputation of guilty connivance with escape of a guilty criminal. My Lords, the rest of this transaction is easily told. Mr. Byrne handed the cheque, there being no bank account of the English branch of the League, to Mr. Justin McCarthy, and Mr. Justin McCarthy gave his own check in exchange. And when Mr. Justin McCarthy's attention was called to that matter, as far back as July 1888, that is to say, some five years after the event, he stated in the House of Commons—erroneously stated in the House of Commons that he had given his check for 100*l.* to Frank Byrne in exchange for a number of smaller cheques which Frank Byrne had given to him. I say erroneously stated, but the error was of no significance whatever, because he had been in the habit of doing that just as others, I think Mr. Folly amongst them, had been in the habit of doing it, namely, of giving their own cheques to Mr. Frank Byrne in exchange for cheques which had been paid in as contributions to the funds of the League. And the only error that Mr. Justin McCarthy, who, of course, will be called before your Lordships, committed, was in stating that he gave it in exchange of several cheques in place of stating he had given his own cheque in exchange for one.

My Lords, that is the whole story of this matter, and I think no words of mine could add to the simple, clear, unmistakeable view which it gives to this transaction which has formed the subject of so formidable an item in this case.

Now, I have to ask your Lordships, in view of this terrible indictment, to turn your Lordships' mind back to the evidence by which it has been sought to support it. How insignificant, how utterly weak that evidence seems. The indictment, broad, serious, of the gravest kind, when it consists of specific charges as to the letters, as to the 100*l.* cheque we have met and disproved, there they are general, by what fragmentary proof are they sought to be supported, and by fragmentary proof, from what tainted and unworthy sources.

My Lords, we have been told that the writer of these libels was a young gentleman, and I am sorry to say, an Irishman. I do not wish to make harsh comments upon him. I thought he would have been called into the box, and that we should have had some opportunity of following up the attempt that my learned friend Mr. Asquith made with Mr. Macdonald, to try and find out what were the foundations for the various grave allegations in these libels, but he has not been called. He seems to be possessed of considerable literary ability. I think he might have employed his talents otherwise than using them to defame his countrymen, and to discredit his country's cause. He has shown ingenuity in patching together, in a curious piece of literary mosaic—in scraps and patches—a grave indictment against the Irish leaders; but it is due to him to say that he was after all but the machine, the creature who was employed. The pen which was put into his hands by others was a pen steeped in political gall. His object seems to have been, or the object of those who inspired him seems to have been, to make charges broad enough, strong enough, blasting enough to the reputation of men he had known; and sad experience shows that if you only lodge accusations strong enough and frequently enough, you will succeed, however foundationless those charges may be, in injuring the man or the men against whom they are directed.

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- “ Call him the blackest names, spread calumnies
 “ All art can think and pregnant spite devise.
 “ Strike home, gash deep, no lies nor slanders spare ;
 “ A wound, though cured, yet leaves behind a scar.”

My Lords, we have endeavoured to lay our case before you to the best of our ability in some methodical fashion. We have endeavoured to show, and we claim to have shown, as accounting for the crime which your Lordships are inquiring into, and its origin, that in former times there had been greater crime in greater volume, of the same class, proceeding from the same causes, directed against the same classes of people and that with recurrent distress, there had been the recurrent recrudescence of crime. We have endeavoured to show to your Lordships, and we believe we have shown by authentic, contemporaneous official records, mainly that there was in 1879, 1880, and in 1881 widespread deep distress and misery in Ireland. We claim to have shown that there was a failure of Parliament, although the House of Commons made an attempt in that direction, that there was a failure of Parliament to meet the needs of the time, by offering to the class of tenants in Ireland who most needed it, temporary protection from civil process of ejectment in their distress. We have shown your Lordships that the landlord class failed, in circumstances of the time, to meet broadly, generously, patriotically, the necessities that were pressing at that time upon their unhappy country; and, my Lords, we have shown you that in the circumstances of the time it was nothing less than could have been expected that the people thus left without protection, which the representative House of the Legislature had decided that they needed, should resort to combinations amongst themselves to guard against, and if they could to prevent the recurrence of the nameless horrors of the famine years of 1846 and 1847.

My Lords, I have said before, and I say again your Lordships are trying the history of 10 years of revolution in Ireland, revolution partly social, partly political, and you are trying that revolution at a moment that by legal process of the Queen's Courts the Irish people are gathering the fruits of that revolution.

I would ask your Lordships without predilection, political, or otherwise—I know your Lordships will try, I have never doubted, never thought otherwise, and that your Lordships will endeavour honestly to try this case upon the evidence, and that you will apply in the consideration of its broad outlines, that same fair, that same generous consideration which would be extended to it by a body of intelligent men if they were considering a similar case of a similar history in another country.

My Lords, I was obliged to speak early in the course of my observations, of one cause which unquestionably, seriously operates in Ireland to produce distrust of law and administration, and to create a chasm—it is a sad thing it should be so—between the people and the spirit of the law. I will not trouble your Lordships with any lengthened observations upon that point, but as the question of motive for the actions of men who are here accused, largely enters into the consideration of the general question, I should like to point attention to what those causes are. I shall do it very briefly, mentioning meanwhile that the Irish party have again and again tried by the action of Parliament to remove some of those disturbing causes.

My Lords, there are two parties in Ireland, and two parties in Ireland only. There is the party which desires that the law, the government, the administration of Ireland shall be in accordance with the wants, the wishes of the majority of the people of Ireland; that is one party. There is another party who believe, many of them I am sure honestly believe, that they are very much better judges of what the interests of the people of Ireland are than the majority of its people. The former party may be called the Nationalist party, the latter has various names. Sometimes it is the party of the respectable class. Sometimes it is the party of the loyal minority. Sometimes it is the party of law and order. My Lords, loyalty, law, order, have been much misapplied, much misused in Ireland. The essential difference between those two parties are these. The first, that the majority of the nation look for their support, for their impulse from the people of Ireland, and that the other party look for their support and influence, not from the people amongst whom they live, and from whom they derive their support, but to an influence external to Ireland.

The next difference is that the one party is a great political power in Ireland, the other as I have shown your Lordships on the election returns which I cited the other

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day, has ceased to be a political power in Ireland, but my Lords, strange phenomenon—phenomenon so far as I know, unknown in the history of any country in the world, supposed to be governed under a constitution, and under a representative constitution, the smaller party looking for its influence and support outside Ireland, possesses at this day all the positions of executive power and of administrative authority in the land. As *ex-officio* guardians they control the unions; as grand jurors they control the counties. Those are classes from whom magistrates paid and unpaid are selected. They furnish the district inspectors and inspectors of police. They crowd the boards of education, the Asylums Board, the Board of Works, and the Local Government Board, each one of these being boards without representation—they alone have touch of the castle and its tenants, and the castle and its tenants have no touch with the popular mind and popular opinion in Ireland.

My Lords, I am not exaggerating this story. I would like to read words graver and weightier than my own, and adopt them as my own. The words are these.

“ I do not believe that the great majority of Englishmen have the slightest conception of the system under which this free nation attempts to rule a sister country. It is a system which is founded on the bayonets of 30,000 soldiers encamped permanently as in a hostile country. It is a system as completely centralised and bureaucratic as that with which Russia governs Poland, or as that which was common in Venice under Austrian rule. An Irishman at this moment cannot move a step; he cannot lift a finger in any parochial, municipal, or educational work, without being confronted, interfered with, controlled by an English official appointed by a foreign government, and without a shadow or share of representative authority. I say the time has come to reform altogether the absurd and irritating anachronism which is known as Dublin Castle—to sweep away altogether these alien boards of foreign officials, and to substitute for them a genuine Irish administration for purely Irish business.”

That, my Lords, is not the excited language of an excited agitator; it is the language of a man who is a privy councillor of the Queen, and has served in offices of the State, Mr. Chamberlain, spoken not years ago, but in 1885. And again:—

“ It is difficult for Englishmen to realise how little influence the people in Ireland have in the management of even the smallest of their local affairs, and how constantly the alien race looms before their eyes as the omnipresent controlling power. The Castle, as it is called, is in Ireland synonymous with the government. Its influence is felt, and constantly felt in every department of administration, local and central, and it is little wonder that the Irish people should regard the Castle as the embodiment of foreign supremacy. The rules of the Castle are to them foreign in race or in sympathy, or in both . . . If the object of government were to paralyse local effort, to annihilate local responsibility, and daily to give emphasis to the fact, the whole country is under the domination of an alien race, no system could be desired more likely to secure its object than that now in force in Ireland.”

That was the language published later in 1885 by the same statesman. Is it wonder, in the face of this, that there should be distrust, that there should be alienation from the law, that there should be no faith in administration of justice, because there is no assent asked to the administration; no responsibility, because there is no power placed upon the people.

My Lords, one other point I would mention, because it is directly in question in the consideration of some branches of this case. In this country the Executive stand apart, speaking generally, from putting in force the criminal law of the land—in greater part in putting in force the criminal law of the land—I am not saying whether the system is right or not, or whether there are no disturbing political questions, but so it is. But the putting in force the criminal law of the land is in great part in this country still left to the voluntary action of the persons supposed to be aggrieved. In Ireland the whole action of the administration of the criminal law is set in motion by the hands of the Executive, by the Attorney-General—the political officer of the day—and there is in Ireland a functionary unknown in this country, called the Law Adviser of the Castle, who is brought in contact constantly with the magistrate, to whom the magistrates constantly refer for advice—I might almost say for direction. And whether upon grounds sufficient or insufficient I do not stop to dwell upon or inquire—but grounds

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sufficient to confound in the minds of the class of people with whom the law is more commonly so put in motion, the idea that it is all the action of the Executive, which means in their mind the action of the Government.

My Lords, I have spoken of this small but important section of the Irish community which may be called, though a minority, the absolute governing class in the community. Mr. Parnell and Mr. Parnell's associates have earned the uncompromising hostility of that class. It is perhaps the highest tribute to the worth of his labours that he has done so.

We are told that there are signs of returning prosperity in Ireland—a gleam of returning health across the face of the country. If it be so, fervently I would say *Deo gratias*. If crime is lessened in Ireland, if it be so, again I would say *Deo gratias*. But, my Lords, it cannot be a sound, it cannot be a healthy, it cannot be a staple state of things, while such scenes as are now in relation to that very land question, being enacted in Donegal; and when there were no less than 25 members—representative members of the Irish people—sent to prison. If they have committed crimes odious to men of moral sense, by all means if they were ten times Members of Parliament, let them be sent there; but the unhappy condition of things in Ireland in their regard is this, that they are not even in this land—even in this *free* land of England, regarded by a large section of its community as criminals, while in their own land they are regarded as heroes and martyrs in a sacred cause.

My Lords, I will not pursue the subject, though I would desire to say something more upon it. I will, however, say this much. This I believe to be the true, the best guarantee for peace and order, in the prevention, the recurrence of the sad and painful crime that your Lordships have been inquiring into, is in the belief and hope, strong in Irish breasts to-day, that the time has come when the state of things that have caused this, must come to an end. My Lords, for their work in bringing this “consummation, devoutly to be wished,” close at hand, the Irish party stands before your Lordships' bar to-day. They can point to marvellous work in 10 years; marvellous in the condition in which that work has been accomplished. Then, in the beginning of those years, it is no exaggeration to say, the Irish peasant farmers stood trembling with bated breath and whispering humbleness in the presence of landlord, agent, bailiff, for that man's fate was verily in the hollow of their hands. He had no spur to industry, and no security that he should reap that he had sown. To-day he can stand erect as becomes a free citizen in a free community, and although the charter of his liberty may not yet be complete, he has derived solid protection from the legislation of 1881, and the subsequent legislation which the action—the agitation as it has been called of these men has helped to accomplish. My Lords, then to with a restricted narrow franchise Ireland spoke with an uncertain, with a stifled voice; now with fuller franchise Ireland speaks as a practically united people. Then, my Lords, secret organisation burrowed beneath the surface of society and constituted a great political and social factor in the land. To-day, thank God for it, the great mass of the people have been won to binding their energies and fixing their hopes upon constitutional means of redress. Then, my Lords, the great mass of the people were possessed with the feeling of despair for past efforts made and unrequited sacrifice; to-day hope is strong and is bounding in their breasts. Then they looked upon their countrymen in this land with distrust if not with hate; to-day they are willing to hold out the hand of brotherly friendship. My Lords, let bygones be bygones, and let for ever be buried the memories of the persecutions of bygone days. Then, my Lords,—perhaps the most hopeful change of all—the people of this country, busy with their own concerns, knew little and thought little, or cared little for Ireland. Now they have taken this question to heart, and recognising the truth that misrule in Ireland means weakness to the empire, they have manifested an interest in the solution of this question in recent years formerly unknown.

My Lords, I have come to an end. I cannot sit down without expressing the obligation I owe to your Lordships, not only for an attentive, but an intelligent hearing. I have spoken not merely as an advocate. I have spoken of the land of my birth. But I feel, and profoundly feel, that I have been speaking in the best interests of England, of an empire where my years of laborious life have been passed, and where I have received kindness, consideration and regard which I shall be glad to make an attempt to repay. My Lords, my colleagues and myself have had the responsibility, duty. We have had to

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defend not merely the leaders of the nation, but the nation itself. To defend the leaders of the nation whom it was sought to crush; to defend the nation whose hopes it was sought to dash to the ground. This inquiry intended as a curse has proved a blessing. Designed, permanently designed to ruin one man, it has been his vindication. In opening this case I said that we represented the accused. My Lords, I claim leave to say, that to-day the positions are reversed. We are the accusers; the accused are here. I do hope that this inquiry in its already stage, and in its future development, will serve more even than the vindication of individuals. That it will remove baneful misconceptions as to the character, the actions, the motives, the aims of the Irish people, and of the leaders of the Irish people—that it will set earnest—thank God there are many earnest and honest minds in this land—a thinking for themselves upon this question, and that it will remove grievances, misconceptions; and hasten that day of true union, and of real reconciliation between the people of Ireland and the people of Great Britain, and that with the advent of that union and reconciliation, there will be dispelled and dispelled for ever the cloud—the weighty cloud that has rested on the history of a noble reign, and dimmed the glory of the mighty empire.

(*Mr. R. T. Reid.*) Would your Lordship kindly say to what date you propose to adjourn; and it would not be convenient for us to call witnesses now.

(*The Attorney-General.*) I do not offer the least objection to that. If your Lordships would kindly say to what date you propose to adjourn.

(*The President.*) We will adjourn now until Tuesday, the 30th.

Adjourned until Tuesday, the 30th instant, at 10.30.

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,

PROBATE COURT No. 1,

Tuesday, 30th April 1889.

(*Sir C. Russell.*) My Lords, I have to renew now the application which I formally referred to at the close of the last sitting, namely, for an order for the attendance here of Mr. William O'Brien and Mr. Edward Harrington. I do not know in what form it best can be taken, but I think when they come here, I shall have to trouble your Lordships with an application for further access to these gentlemen, so as to give us the fullest possible opportunity of communicating with them with regard to these matters.

(*The President.*) It shall be looked into and the proper form ascertained.

Mr. CHARLES STEWART PARNELL, M.P., sworn; examined by Mr. ASQUITH.

58,238. Are you the son of the late Mr. John Parnell?—Yes.

58,239. Your father was, I believe, an Irish landowner?—Yes, he was a landowner in several Irish counties—Wicklow, Carlow, Kildare, and Armagh in the north of Ireland. He was also a very extensive land agent. He was a member of the Grand Jury of the county of Wicklow, and a Deputy Lieutenant and Magistrate of the county of Wicklow, and Chairman of the Board of Guardians for the Rathdrum Union; and he took a very extensive interest in the local affairs of his own county.

58,240. Your mother is, I believe, a daughter of the late Admiral Stewart, of the United States Navy?—Yes, she is the only daughter of the late Admiral Charles Stewart.

58,241. Did you say your father served the office of High Sheriff in his county?—He served the office of High Sheriff in his county.

58,242. Did you, upon your father's death, succeed to his property in Ireland?—I succeeded to his property in Wicklow and Kildare, and some house property in Dublin.

58,243. About what year was that?—That was the year 1858, when he died.

58,244. You were, I suppose, still a minor?—I was a minor.

58,245. You yourself, I believe, were educated in England?—I was educated chiefly in England. I was educated at two private schools in England, and at a private tutor's in Chipping Norton, in Oxfordshire, and at Magdalen College, Cambridge.

58,246. After you had finished your time at Cambridge, did you reside in Ireland and make your property your home for some years?—Yes, for some years.

58,247. I believe until the year 1874 you took no active part in public affairs?—Scarcely at all. I took a little part in the general election preceding the passage of the Irish Church and Land Acts, in favour of the Liberal candidate for the county of Wicklow.

58,248. Were you already interested in social and political questions in Ireland?—I cannot say I was very much interested in political questions at that time. I had been observing matters, but I was chiefly attending to my own private business.

58,249. Do you remember the Fenian rising in 1867?—Yes. I recollect that of 1865 and subsequent years. I was at Cambridge then. I watched the course of that movement with some interest and attention.

58,250. I do not think you have told us in what year you were born?—In 1846.

58,251. Do you remember the passing of the Ballot Act in 1872?—Yes. The passing of the Ballot Act in 1872 was the first public event which more intimately directed my attention to politics. I thought that arising out of the passage of that Act, that the political situation in Ireland was capable of very great change.

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I had some knowledge—not a very deep knowledge—of Irish History, and had read about the Independent Opposition movement of Sir Charles Gavin Duffy, and the late Mr. Frederick Lucas in 1852, and whenever I thought about politics, I always thought that that would be an ideal movement for the benefit of Ireland. Their idea was—

(*The President.*) I think this is a little too discursive.

(*Mr. Asquith.*) I was calling Mr. Parnell's attention, my Lord, to the passage of the Ballot Act.

58,252. You told us that that directed your attention to public affairs. How did the passing of the Ballot Act affect the situation?—The passing of the Ballot Act, in my opinion, rendered it possible for Ireland to have, to some extent, an independent party reflecting the opinions of the masses of the people.

58,253. Why was that—what was the change?—Acting independently in the House of Commons, free from the influence of either English political party; pledged not to take office, or from any combination with any English political party until the wants of Ireland had been attended to. The passing of the Ballot Act rendered this possible, in my judgment, because for the first time it enabled the Irish electors to vote free from the coercion of their landlords. Up to that time the electors had, to a great extent, been driven in like sheep to the polls, and in many cases where they resisted the wishes of their landlords, they were fined heavily by the imposition of extra rent, and in other cases dispossessed from their holdings for the exercise of the franchise.

58,254. About this time—that is about the time of the passing of the Ballot Act, did Mr. Butt and others form the Home Rule League?—Mr. Butt just subsequently to the passage of the Ballot Act and prior to the General Election of 1874 formed the Home Rule League, and succeeded in returning 59 members, pledged, according to the principles of the Independent Opposition party in 1852, to remain aloof from all English political parties: to form an Independent separate party in the House of Commons; to refuse office until the just rights of Ireland in the direction of a native legislature were conceded.

58,255. That was the General Election of 1874?—The General Election of 1874.

58,256. The early part of 1874?—The early part of 1874.

58,257. I think that was the first General Election held in Ireland under the Ballot Act?—Yes, under the Ballot Act.

58,258. You yourself were a candidate at that election?—I was a candidate at the bye-election in 1875 for the county of Dublin. I did not stand for any constituency in Ireland. I was High Sheriff of my own county at that time.

58,259. In 1874?—Yes, in 1874.

58,260. And therefore were ineligible?—Yes.

58,261. But at a bye-election you did stand for the county of Dublin?—For the county of Dublin I stood, and I was beaten. About that time I joined the Home Rule League and made the acquaintance of Mr. Patrick Egan.

58,262. Was Mr. Patrick Egan a member of the Council?—He was a member of the council of the Home Rule League. The Home Rule League was composed of a great number of gentlemen, and Mr. Isaac Butt was the president of that body. Mr. Butt introduced me to Mr. Patrick Egan.

58,263. Did you see a good deal of Mr. Egan at that time?—I saw a good deal at that time and subsequently; and I may say that I formed a very high opinion of him indeed for his honesty, patriotism, and single mindedness—an opinion that I hold to this day.

58,264. You were intimately associated with Mr. Egan in after years?—Yes, in after years.

58,265. Did you ever see or know of anything in Mr. Egan's conduct or proceedings which caused you to alter that opinion?—No, I never have.

58,266. Shortly after this were you elected to the House of Commons for the county of Meath?—I was elected for the county of Meath in 1875.

58,267. As a member of Mr. Butt's party—

58,268. (*The President.*) I did not catch the constituency?—The county of Meath.

58,269. (*Mr. Asquith.*) I believe you did not take a very active part in Parliament in your first two sessions?—No, I did not take a very active part in the Sessions of 1875

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and 1876. I voted in all the divisions in the session that I entered Parliament—Lord Beaconsfield's Coercion Act was going through the House. I voted in all the divisions upon that Act, and in subsequent divisions upon the various measures brought forward by the Irish party—all for the benefit of Ireland—during that and subsequent years.

58,270. Did you during those two years observe the proceedings of Mr. Butt's party, and form an opinion about them?—Yes; I was a very close observer of the proceedings of Mr. Butt's party, and I came to an unsatisfactory conclusion about them. I came to the conclusion, from my observation, that of this party of 59 members, which had been returned upon the Independent Opposition platform of Mr. Frederick Lucas and Sir Charles Gain Duffy, that many of them were very lukewarm about Home Rule, and about Ireland; that others of them intended to take office the first opportunity; and that some were secretly hostile to the platform which they had pledged themselves to before their constituents.

58,271. Did you about this time become a member of the Amnesty Association in Dublin?—I think about that time—about 1876.

58,272. What was the Amnesty Association—by whom was it formed?—The Amnesty Association was formed for the purpose of obtaining the release of the political prisoners. It had at the time that I entered political life been almost entirely successful as regards the greater bulk of its operations. A large number of the political prisoners—the Fenian prisoners—who were convicted of treason felony in 1865 and 1867 had been released, mainly owing to its exertions.

58,273. Who was the president?—Mr. Isaac Butt was the president of the Amnesty Association, and there remained at that time only a few of the political prisoners; including Mr. Michael Davitt, Corporal Chambers, Colour-Sergeant McCarthy, and one or two others—I think Mr. O'Mara Condy was one of them.

58,274. Were the meetings of the Amnesty Association secret or open to the press?—The meetings of the Amnesty Association were open to the press—they were public meetings open to the press.

58,275. Did you ever see or hear of the convict Delaney at any of those meetings?—No; I never heard of him until the attempt upon the life of Judge Lawson.

58,276. I may ask you here, were you ever a member yourself of any secret society?—No; the only secret society that I was a member of was the body called the Foresters. I believe it is specially exempted under the laws against secret societies from the penalties in Ireland.

58,277. With the exception of the Foresters you had never been a member of any secret society?—Never been a member of any secret society, and I may also add that I have never wanted to be.

58,278. I was going to ask you that—were you ever a member of the Irish Republican Brotherhood?—No.

58,279. Did you ever at any time apply to anybody to join the Irish Republican Brotherhood?—No, I never did, and I was never asked to join it.

58,280. I will read you a passage from the evidence of the witness Le Caron at page 2494, speaking of what he represents Mr. Egan to have told him—

“He cited to me as proof of his statement in reference to Mr. Parnell, that
 “about a year previous to this conversation, Mr. Parnell had made application,
 “and had endeavoured to join the Irish Republican Brotherhood, the organisation
 “upon this side of the water. But Mr. Egan stated that at that time Mr. Parnell
 “thought a great deal of the organisation when he was upon the outside of it,
 “but the organisation was not in as good and prosperous a condition as we would
 “like to have had it, and as he thought it was; and that he thought Mr. Parnell
 “would think a great deal more of it upon the outside of it than if upon the
 “inside. (Q.) Then he did not become a member?—(A.) He assigned another
 “reason. (Q.) Give us the reason, please? (A.) He stated that it might also
 “have interfered with the usefulness of Mr. Parnell—to his getting out—and
 “they refused to allow him to become a member.”

Is there a syllable of truth in that?—There is not. I do not believe Mr. Egan ever made such a statement to Mr. Beach.

58,281. Did you ever tell Mr. Egan anything of the kind?—No; never. Mr. Egan never spoke to me about the Irish Republican Brotherhood, or suggested that I should join it, or told me anything about it.

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58,282. Did you know Mr. Egan had been a member of the Irish Republican Brotherhood?—I did not know, but I may have heard from others, that in the old times he had been connected with the physical force movement in 1865 and 1867; but I had no idea until the evidence of Carey in Dublin in 1883, that he had been so recently connected with the organisation, as Carey swore.

58,283. You spoke just now of your dissatisfaction with the conduct of Mr. Butt's party, and you referred to Bills which they had introduced—have you prepared a list of the Bills and Resolutions introduced by that party during the years when you sat in the House of Commons?—Yes.

(*Mr. Asquith.*) I do not propose to read it, my Lord, but I propose to put in that list.

(*The Attorney-General.*) Let us see what is proposed to be handed in [*the document was handed over to the Attorney-General*]. My Lords, I do not know how a list of measures handed in can be material. If it is material, it will have to be gone into in the regular way.

(*The President.*) You look upon that as establishing some general proposition which you will put in proper form.

(*Sir C. Russell.*) My friend's object is of course to show that the efforts of the party, of which the witness was a member, and afterwards the leader, was directed to constitutional redress through the medium of Parliament—that is the object.

(*The President.*) You may put that question directly, and we may take it, and it will have to be subject to cross-examination afterwards.

58,284. (*Mr. Asquith.*) These were all Bills which were all rejected?—Yes, all rejected—The only measure that was passed, as well as I can recollect, up to the end of the session of 1876, besides the Coercion Act, was the Municipal Privileges Act, which entitled the corporations of Ireland to confer the freedom on their cities.

58,285. (*Sir C. Russell.*) And to name their own sheriffs, I think, subject to the approval of the Lord Lieutenant?—Yes, and one or two other small provisions. All the others, of which there were a great number, brought both by Bill and Resolution by the Irish party, were thrown out.

58,286. (*Mr. Asquith.*) What was the character of these Bills?—For the equalisation of the franchise in Ireland to that in England. That is to say, the equalisation of the borough franchise, which was a higher franchise in Ireland. They were measures for the extension of local government in counties; they were Bills to ameliorate the condition of the tenantry in Ireland, land Bills; they were measures to develop and promote the fisheries of Ireland; and, in fact, many of the other material wants of the country.

58,287. Did some of them deal with the Municipal franchise?—Yes, the Municipal franchise was a very prominent one of those measures.

58,288. I see they amount altogether in this session to 171 according to this list?—Yes.

(*Sir C. Russell.*) Is there any objection to this being handed in?

(*The President.*) It may be handed in, but I do not think it ought to be printed.

(*Sir C. Russell.*) Then we can ascertain by an enumeration by the witness, about these Bills and Resolutions.

(*The President.*) If you put it so I do not think the enumeration of the Bills is admissible in evidence. I take his general statement. I take it, the object is to show that during this period they were proceeding by constitutional action of the party, and until that is questioned by cross-examination it will remain.

(*Sir C. Russell.*) And that their constitutional action was unsuccessful except in a very small degree.

58,289. (*The President.*) Yes; am I to take it all these measures that you have enumerated were rejected?—All rejected.

58,290. (*Mr. Asquith.*) You have told us you were dissatisfied with the conduct of affairs, and in consequence of this dissatisfaction, did you at the end of 1876 or the beginning of 1877 take independent action?—Yes, I took independent action apart from Mr. Butt's party in consequence of the rejection of so many of the measures in the sessions of 1874–5–6; and also in consequence of the want of belief in the integrity of the party itself, or of many members composing it.

58,291. Did some members of the party co-operate with you in this independent action?—Yes, three or four. The principal ones were Mr. Biggar and Mr. O'Connor Power. Colonel Nolan also helped us, and Mr. Shiel.

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58,292. What did you know at this time about Mr. Biggar?—I only knew Mr. Biggar as a member of the Irish party, and a very sterling and straightforward man, who evidently took a very deep interest in the welfare of Ireland and in the success of the measures he brought forward.

58,293. Did you know at this time that Mr. Biggar had been a Fenian?—I did not know it then. I knew it subsequently, but not at that time.

58,294. When did you learn it, and from whom?—I think I learned it in the session of 1877, and from Mr. Biggar himself. He told me that he was a member of the Supreme Council of the I.R.B. It was the first time I had heard either the name of this body, or the name of its governing body, and that he was going to attend a meeting of that body, and he thought that they were going to turn him out—to expel him. I advised him to resign. He said, “No, I never withdraw from anything. They can “ can turn me out if they like, but I won’t resign.” Subsequently he told me he had been expelled.

58,295. That was in 1877?—I think it was in 1877 or 1878—perhaps a little earlier, or a little later.

58,296. Now what form did this independent action of yours in co-operation with Mr. Biggar and the others take?—Well, we took action upon Imperial, and also upon English questions.

58,297. You mean action in the House of Commons?—Yes, action in the House of Commons. We took action upon the Prisons Bill; and were successful in the session of 1877 in introducing a number of important improvements which were accepted by the then Home Secretary, Mr. Cross, with regard to the treatment of untried prisoners; prisoners awaiting trial; debtors; persons in prison for contempt of Court; and also with regard to the power of the Governor of the gaol, and of the Visiting Committees to inflict punishment. This power was limited to a very material extent.

58,298. Do you remember during the discussion on that Bill, an allusion to the case of Mr. Davitt, who was then in prison?—Yes, the discussions on that Bill were very material in bringing about the release of Mr. Davitt, because Mr. O’Connor Power, in moving a resolution on the report of the Prisons Bill, took occasion to illustrate it by the history of the barbarities which had been inflicted upon Mr. Davitt in Portland prison, and which he managed to obtain, although Mr. Davitt was still in Portland—

58,299. Dartmoor?—Yes, Dartmoor. The recital of these things produced undoubtedly a very great effect upon public opinion and the action of the Government.

58,300. Was Mr. Davitt very shortly afterwards released?—Mr. Davitt was very shortly afterwards released.

58,301. Together with the other convicts to whom you have referred?—Yes.

58,302. M’Carthy, Chambers, and O’Brien?—Yes.

58,303. Upon the release of Mr. Davitt and others a public reception was given to them in Dublin?—Yes.

58,304. Did you go to that reception?—I attended that reception. I met Mr. Davitt and the others upon their arrival at Westland Row. I also attended the dinner which was given to them in Dublin—a small dinner it was—and I invited them to breakfast with me at Morrison’s Hotel, and it was while walking into my room that Colour-Sergeant M’Carthy dropped dead of heart disease.

58,305. Was that your first acquaintance with Mr. Davitt?—My first acquaintance with Mr. Davitt.

58,306. Did you see a great deal of him at this time?—I saw a great deal of him at that time, and almost every subsequent year until now. I formed a very high opinion of Mr. Davitt; of his decision of character and courage; and I believe I looked forward at that time to his taking a very distinguished part in the future political and social history of Ireland.

58,307. You still hold that opinion?—Certainly.

58,308. That was in 1877. In the next year, 1878, did you renew your parliamentary action in relation to the Army and Navy Bills?—Yes, we took action on those Bills. At that time the Annual Mutiny Acts were passed, as a matter of course, without any discussion. They contained a number of very cruel and obsolete provisions with regard to the treatment of soldiers. We took action in the passage of these Acts both in 1877 and 1878 to direct attention to these matters, and we succeeded in obtaining a Select Committee to inquire into the subject of the discipline of the army and navy. I was a member of that committee.

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58,309. And there was, I believe, subsequent legislation which very materially modified the provisions of that Act?—There was subsequent legislation in 1879; the Army and Navy Discipline Bill was brought in and passed. Most important discussions took place during the progress of that measure upon the question of flogging in the Army and Navy, and these punishments were limited, both as regards the number of lashes, the offences for which it could be inflicted, and the character of the instrument, or cat, used in infliction

(*The President.*) I must say that I think this is a little wide of any question we are inquiring into.

(*The Witness.*) It eventually, my Lord, led to the abolition of flogging in the Army and the Navy.

58,310. (*Mr. Asquith.*) In the autumn of that year, 1878, did you pay a visit to the West of Ireland, to the county of Mayo, with Mr. O'Connor Power?—In 1878 or 1877, I am not quite clear which, I am inclined to think it was in 1877, I went down to Mayo with Mr. O'Connor Power, and that was my first visit to the West of Ireland, and the first time that I understood, to some extent, from what I saw during that visit, something about the Irish land question. I was very much struck with the wretchedness and poverty of the people there, with the squalor of their houses, with the smallness and barren character of their holdings; and I first began to think then that a mere Bill for fixing the rents, which is what is called the three Fs—fixity of tenure at fair rents—would not meet the case of these small tenants in the West of Ireland, who constituted rather more than the majority of the whole number of agricultural tenants in Ireland.

58,311. Were the Bills introduced by Mr. Butt and his party in relation to the land question on those lines?—They were on the lines of fixity of tenure and fair rents, on the lines subsequently of Mr. Gladstone's Bill of 1881.

58,312. Do I understand you to say that at that time you came to the conclusion that that was an adequate way of dealing with the question?—I came to the conclusion, that that method would only reach the case of the larger and more substantial tenants; that it would not reach the case of the smaller tenants; at least I commenced to think that. I do not say that I came definitely to that conclusion, but I commenced to think it.

58,313. Do you remember upon that visit meeting the Nallys?—Yes; that was the time I met the Nallys—Mr. Patrick Nally.

58,314. And one we have heard called Scrab Nally—Mr. P. W. Nally?—Scrab Nally, Mr. J. W. Nally; his character has been described to the Court, and it is not necessary for me to say anything about it; but Mr. Patrick Nally I was very favourably impressed with indeed; he seemed to me to be a very fine, open young man; he was a great athlete, a great sprint runner, and a great jumper; he could jump as high as himself.

58,315. So far as you know, was Mr. Patrick Nally ever a member of the Land League?—I think he was in the earlier stage, before the formation of the Land League, a member, and took a considerable part in the formation of the County of Mayo Land League, which was a sort of precursor of the Land League; but as far as I know I do not think Patrick Nally was ever a member of the Irish National Land League or any of its branches, for about the time of its formation he seems to have turned against the Land League movement.

58,316. When on this visit to Mayo did you notice in what part of the country the more congested districts lay?—In the hilly and barren districts; the good land was entirely clear of occupation; you could drive for miles along the road through this county, through rich, fattening, grazing land, without meeting a human being or seeing a house; and while on these drives you could see the ruins of many houses which formerly existed there—the ruined walls and the roofless houses of the former tenantry.

58,317. I think, Mr. Parnell, you had nothing to do with the original formation of the Land League in Mayo by Mr. Davitt in the early part of 1879?—No, I did not have anything to do with the Land League meetings until the Westport meeting, which was a little later.

58,318. Had Mr. Davitt consulted you before he went to Irishtown and started the movement there?—No, he had not consulted me actually; he had often spoken to me of his opinion that there ought to be a combined agrarian and political movement,

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but he had not definitely consulted me as to any particular step which he himself took. I was, in fact, in Parliament at the time of the Irishtown meeting, and I was not in the way of seeing him very much.

58,319. About this time, the spring of 1879, was your attention called to the existence of great distress in the West of Ireland?—Yes, in the beginning of 1879 we commenced to receive reports that distress was already on the smaller tenantry, and that unless something were done by the Government, the result would be a famine in the coming winter.

58,320. Do you remember the question being raised in the House of Commons by the Irish party on the 27th of May 1879?—Yes, it was raised by us. I forgot to mention Mr. O'Donnell as one of those who helped me. It was raised by us on the motion of Mr. O'Donnell on the adjournment of the House for the holidays; I think it must have been the Easter holidays.

58,321. Whitsuntide?—Whitsuntide. He drew attention to the distress, and was supported by Mr. O'Connor Power, I think Mr. Justin M'Carthy, and also by myself.

58,322. You made a speech on that occasion?—Yes.

(Mr. Asquith.) My Lords, I should like to read that. It is very short. It is Mr. Parnell's speech on the 27th of May 1879, reported in the 246th volume of Hansard, at column 1397:—

“ Mr. Parnell said he knew from experience that great agricultural distress prevailed in Ireland. He was talking the other day with a collector of the cess tax, who told him that he had never had such great difficulty, since 1847, in getting money from the farmers. Owing to the great depression, and to the competition of the American market in corn, meal, and butter, the profits of the farmer had gone down considerably, and he knew that both the graziers and the small farmers experienced the greatest difficulty in making both ends meet. He believed that, even on fairly rented properties, it was a necessity for the tenant to have such security of tenure as would develop to the fullest the capabilities of the soil. Ireland at present was not more than one-third cultivated as it ought to be, and even its cultivated lands ought to produce three times as much as they did. It was necessary for the House to consider how best to devise a measure for the protection of the industry and exertions of the tenant—a measure of protection for the value which he added to the land; and he had no hesitation in saying that they must be prepared to adopt an exceptional measure of land reform for Ireland, as compared with England. He would not prolong the discussion on that occasion; but unless the Government were ready to afford some opportunities for the consideration of this subject after Whitsuntide, and unless they intended, at all events, to do something in the direction of the recommendations of the Select Committee that sat upon the matter last session, under the presidency of the hon. Member for Reading (Mr. Shaw Lefevre), the question was one which would have to be taken up by the Irish Members in a firm and determined fashion. It was one which deeply affected their constituencies; and even if they were disposed to hang back a little on the subject, the constituencies would not allow them.

58,323. I believe Mr. Lowther was then the Chief Secretary for Ireland?—He was then the Irish Chief Secretary.

58,324. And what view did he express upon the matter when it had been brought before Parliament in that way?—He “pooh-phooed” the whole thing; practically speaking, denied the existence or prospects of distress, and refused to hold out any expectation of any relief whatever to the tenants.

58,325. Did you subsequently on the 7th of June attend a Land League meeting, or a land meeting, rather, at Westport, in the county of Mayo?—Yes.

58,326. You made a speech there?—Yes.

58,327. That was the first speech, I believe, that you made during the whole of the agitation?—That was the first speech that I made in the Land League movement.

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58,328. (*Mr. Asquith.*) I propose to read this speech from the "Freeman's Journal" report of the 9th of June 1879. Mr. Parnell said:—

"It was only when leaving my home yesterday to come here that I first became acquainted by reading that letter that his Grace was opposed to the meeting"——

What letter was that?—That was the letter from Dr. McHale, the Archbishop of Tuam, I think, in which he expressed his opposition to the meeting.

"I am sure 'John of Tuam' would not wish me to dishonour myself by breaking my word to this meeting, and by remaining away from it. The resolution I have to propose is this 'That: whereas many landlords by successfully asserting in the courts of law their power to arbitrarily increase their rents, irrespective of the value of their holdings on their estate, have rendered worthless the Land Act of 1870, as a means of protection to the Irish tenants, we do hereby declare that not only political expediency but justice, and the vital interests of Ireland demand such a readjustment of the land tenure—a readjustment based upon the principle that the occupier of the land shall be the owner thereof—as will prevent further confiscation of the tenants' property by unscrupulous landlords, and will secure to the people of Ireland their natural right to the soil of their country.' I am one of those who believe the landlord institution is not a natural institution in any country. I believe that the maintenance of the class of landlords in a country is not for the greatest benefit of the greatest number. Ireland has perhaps suffered more than any other country in the world from the maintenance of such a class. England has perhaps, assimilated itself better than any other country to the landlord system; but in almost every other country in the world where the system has been tried it has been given up. In Belgium in Prussia, in France, and in Russia the land has been given to the people—to the occupiers of the land. In some cases the landlords have been deprived of their property in the soil by the iron hand of revolution; in other cases, as in Prussia, the landlords have been purchased out. If such an arrangement could be made without injuring the landlord, so as to enable the tenant to have his land as his own, and to cultivate it as it ought to be cultivated, it would be for the benefit and prosperity of the country. I look to this as the final settlement of this question; but in the meanwhile it is necessary to ensure that as long as the tenant pays a fair rent he shall be left to enjoy the fruits of his industry. A fair rent is a rent the tenant can reasonably pay according to the times, but in bad times the tenant cannot be expected to pay as much as he did in good times, three or four years ago. If such rents are insisted upon, a repetition of the scenes of 1847 and 1848 will be witnessed. Now, what must we do in order to induce the landlords to see the position? You must show the landlords that you intend to hold a firm grip on your homesteads and lands. You must not allow yourselves to be dispossessed as you were dispossessed in 1847. You must not allow your small holdings to be turned into large ones. I am not supposing that the landlords will remain deaf to the voice of reason, but I hope they may not, and that on those properties on which the rents are out of all proportion to the times, that a reduction may be made and that immediately. If not, you must help yourselves, and the public opinion of the world will stand by you and support you in your struggle to defend your homesteads. I should be deceiving you if I told you that there was any use in relying upon the exertions of the Irish Members of Parliament in your behalf. I think that if your members were determined and resolute they could help you, but I am afraid they won't. I hope that I may be wrong, and that you may rely upon the constitutional action of your Parliamentary representatives in this the sore time of your need and trial, but above all things remember that God helps him who helps himself, and that by showing such a public spirit as you have shown here to-day, by coming in your thousands in the face of every difficulty, you will do more to show the landlords the necessity of dealing justly with you than if you had 150

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“ Irish members in the House of Commons. Perhaps I may be permitted for a moment to refer to the great question of self-government for Ireland. You will say, perhaps, that many men have said that this struggling for concessions in the House of Commons is a demoralising thing. Now, I am as confident as I am of my own existence that if you had men of determination, of some sort of courage and energy representing you, that you could obtain concessions. We are not likely to get them of such importance and amount as to run the risk of being demoralised by them; and also there is really no reason why we should permit ourselves to be demoralised by the greatest concession of all. If you obtain concessions on right principles, such as the Irish Church Act and the Land Act, you run no risk of demoralising yourselves. I have always noticed that the breaking down of barriers between different classes has increased their self-respect and increased the spirit of nationality amongst our people. I am convinced that nothing would more effectually promote the cause of self-government for Ireland than the breaking down of those barriers between different classes. Nothing would be more effectual for that than the obtaining of a good Land Bill—the planting of the people in the soil. If we had the farmers of Ireland the owners of the soil to-morrow, we would not be long without getting an Irish Parliament. I don’t intend to be demoralised myself by any concessions. While we are getting a concession we may show the Government a little consideration for the time being, and give them a *quid pro quo*; but after that the bargain ceases, and when we have returned them a fitting return for what we have got we are quits again, and are free to use such measures as may be necessary according to the times and according to the circumstances. You have a great country to struggle for—a great country before you. It is worth a little exertion on your part—it is worth a little time. Do your best, and your country will thank you for it, and your children hereafter.”

(*The Attorney-General.*) I do not know whether it need be read at present, but there is a speech of Mr. Davitt’s at this meeting at which Mr. Parnell was present, which must be read at some time or other. I am perfectly willing, if my friends wish it, to postpone the reading of it until the cross-examination.

(*Sir C. Russell.*) We have not the least objection to that being done.

(*The President.*) What I said when the accusers’ case was on was this, that you were only bound to read what you thought material, and leave the rest for cross-examination.

(*The Attorney-General.*) I will adopt your Lordship’s wishes with regard to that.

(*Sir C. Russell.*) I think it preserves the continuity of Mr. Parnell’s own evidence to confine it to his own speeches at present.

(*The President.*) I think so too; that you should conduct your case from your own point of view, and leave it to be qualified by cross-examination.

(*Sir C. Russell.*) We shall follow that, always deferring to any expression of opinion your Lordships may think fit to give.

(*The Attorney-General.*) Perhaps I had better indicate where there are other speeches to be read, as it will be convenient for the note. There will be other speeches to be read at this meeting of the 7th of June at Westport.

58,329. (*Mr. Asquith.*) I was going to call your attention to a passage in this speech in which you say:—“ If we had the farmers of Ireland the owners of the soil to-morrow we would not be long without getting an Irish Parliament.” Had you from the first a political as well as a social interest in this land movement?—Undoubtedly, and I think it was very clearly and plainly expressed in that passage that I looked to the redress of the grievances of the tenant farmers as well as to the obtaining of an Irish Parliament that I considered that the movement, the redress of the grievances of the tenant farmers, would not injure the prospects of obtaining an Irish Parliament, that the more you increase the contentment of the people, the more politically capable they become, and that we had nothing to fear whatever, but everything to gain from the redress of the grievances of the Irish tenants. That, of course, was my opinion; it is still my opinion. Other people think and have thought differently.

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[Continued.]

58,330. Did you after this meeting at Westport in June, in the course of the summer and autumn of that year make speeches at many other meetings in different parts of the country?—Yes, several.

58,330a. Going about in that way from place to place, were you able to observe and to form an opinion about the condition of the people at that time?—Yes, I plainly saw that the information that we had received earlier had not been exaggerated.

58,330b. As to distress?—As to distress; and that there was a prospect of very grave distress. That was the second time that I had been in the co. of Mayo in the West of Ireland, and my opinion was strengthened that no mere fixity of tenure bill, rent fixing Bill, would reach the case of the smaller tenants, and I came to the conclusion that we ought to look to peasant proprietary, or occupying ownership at all events. for these smaller tenants, carried out by compulsory expropriation as the first step to be taken for their benefit.

58,331. It was in October of that year, as we have already learnt, the 21st of October, that the Land League was formed in Dublin?—Yes.

58,332. Prior to that meeting on the 21st of October, was the formation of a league a matter of discussion between you and Mr. Davitt?—Yes; we had several discussions about it.

58,333. What was Mr. Davitt's view and what was yours?—Mr. Davitt was very anxious that the Land League should be formed, and that the tenants should be supported by an agrarian movement. I had in my mind advice given to me by Mr. Butt one or two years previously, when I pressed upon him the extension of the Home Rule movement by the formation of branches through the country. He said, looking at it from the lawyer's point of view, that we should be made responsible for every foolish thing done by the members of the branches. I was rather disinclined to entertain the idea of the formation of an extensive agrarian movement on account of that caution which I received from Mr. Butt.

58,334. But ultimately you acceded to Mr. Davitt's views?—Ultimately I saw that it was necessary for us to take the risk.

58,335. And you did take it?—Yes.

58,336. An inaugural meeting was held at the Imperial Hotel in Dublin on October 21st, 1879?—Yes.

58,337. Is that an accurate report of the resolutions and the names of the speakers at the meeting. [*Handing a paper to the witness*]. It has already been printed at page 3687 in Sir Charles Russell's speech?—

(*The Attorney-General.*) Will you kindly ask what the document is. Is it a reprint, or what?

58,338. (*Mr. Asquith.*) What is that document?—I believe that this was an original document which was issued by the Land League at the time as a report of the proceedings of that meeting.

58,339. You were present at the meeting?—I was in the chair I think——no I was not in the chair.

58,340. Mr. Kettle was in the chair?—Yes, Mr. Kettle was in the chair.

58,341. Is that an accurate report of what took place?—Yes, I think that is an accurate report of what took place at that meeting [*the same was put in*].

58,342. I want to ask you about one or two names that appear there. First of all, who was Mr. Kettle who presided over that meeting?—Mr. Kettle was one of the secretaries of the Tenant Farmers' Defence Association which had been of Mr. Butt's organisations—one of the honorary secretaries of that body.

58,343. And who was Mr. Brennan?—Mr. Brennan I met at this time to know him at all; I met him for the first time to know him. I had seen him once or twice previously, but not to come in contact with him.

58,344. Did you know that Mr. Brennan had been a member of the Irish Republican Brotherhood?—No, I did not know. The same observation that I made with regard to Mr. Egan applies to Mr. Brennan also.

58,345. You did not know it until afterwards?—Until Carey's evidence. I rather think that Carey mentioned Mr. Brennan's name in connexion with the I.R.P.

58,346. Mr. Egan was appointed treasurer?—Mr. Egan was appointed treasurer.

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58,347. Will you tell their Lordships what was Mr. Egan's position at that time in Dublin?—Mr. Egan was one of the directors of the North City Milling Company, the largest flour establishment in Ireland, and he also had a business of his own, called the North City Bakery.

58,348. Was he a man whom you would describe as in a considerable way of business?—Doing a very good business, I should think, and intimately acquainted with the industrial wants of the country.

58,348a. The other treasurers I see are Mr. Biggar (of whom you have already told us) and Mr. W. H. O'Sullivan, M.P. Was he a member of Mr. Butt's party?—He was a member of Mr. Butt's party.

(*Mr. Asquith.*) Then, my Lord, I will formally prove in the same way a document which has already been printed and which I think is on the fourth page of that.

58,348b. Is this the "Appeal to the Irish Race"?—The "Appeal to the Irish Race" is on this.

(*Mr. Asquith.*) Page 3689 is the reference.

(*The President.*) I think Mr. Davitt was the author.

58,349. (*Mr. Asquith.*) Was that Mr. Davitt's composition?—I believe so.

58,350. It was issued and circulated by the Land League as I understand shortly after its formation?—Yes.

(*Mr. Asquith.*) I prove in the same way the rules of the Land League.

(*The President.*) Will you give me the page?

58,351. (*Mr. Asquith.*) The appeal is page 3689; the rules page 3691. Then there are two other documents of about the same date. The "Address to the Farmers of Ireland," page 3693. That is signed by you, I think?—Yes.

58,352. And the "Manifesto to the People of Ulster," page 3694?—Yes, I saw all those documents and agreed to their issue.

58,353. They were all issued by the League?—Yes.

58,354. About this time, shortly after the meeting of the 21st of October?—Yes.

(*The Attorney-General.*) They were put in by me at page 3319, if your Lordships will kindly take a note at the same time, with reference to Sir Charles Russell's speech. It has a bearing on something which has occurred in this case.

(*Mr. Asquith.*) It begins at the bottom of page 3318. That is the rules. They are printed. Your Lordship will take that as formal proof.

58,355. Shortly after this, at the end of the year 1879, did you proceed to America with Mr. Dillon?—Yes, I proceeded to America on behalf of the Land League with the double object of collecting funds to alleviate the distress, and also funds for the use of the Land League in Ireland.

58,356. Up to the time when you started to America, had anything been done either by the Government or by the formation of charitable committees to relieve the distress in Ireland?—Nothing whatever had been done either by the Government or by any organisation whatever. The appeal of the Land League was the first appeal for public assistance to relieve the distress.

58,357. I think you have told us you were accompanied by Mr. John Dillon?—I was accompanied by Mr. Dillon.

58,358. On the way out you were interviewed by a newspaper correspondent, Mr. Ives?—Yes.

(*Mr. Asquith.*) Your Lordships will find that has been given in evidence. At page 487 is the passage to which I am going to refer. I read this passage to you, Mr. Parnell.

" FENIANISM IN IRELAND.

" *Correspondent.*—I have heard much in the West, Mr. Parnell, regarding Fenianism, and its present active organisation. Do you think the Fenians are in sympathy with the present land movement?

" *Mr. Parnell.*—As far as I have been able to gather, the Fenian organisation and its leaders are opposed, though not hostile, to our movement, the reason being that it is constitutional. A true revolutionary movement in Ireland should, in my opinion, partake of both a constitutional and an illegal character.

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“ It should be both an open and a secret organisation, using the constitution for its own purposes, but also taking advantage of its secret combination. But the leaders of the Fenian movement do not believe in constitutional action, because it has always been used in the past for the selfish purposes of its leaders. There was a strong objection by the Fenians to our Parliamentary action for the same reason, and, indeed, if we look at the action of the Irish Parliamentary leaders since the Union, there is ample justification for the views of the physical force party.”

58,359. Does that actually represent what you told the correspondent at the time?—Yes, I think it does, fairly so, considering that he did not profess to make a shorthand report. He merely put it down from memory afterwards. I cannot, of course, recollect at this distance of time whether I did not add something to make the passage less obscure, but my meaning was—I had in mind what I had been told with regard to the action of the Revolutionary or Fenian body; that at the beginning of 1874 they had contemplated—I will not say seizing, but having themselves represented as a body or their views or ideas represented in the House of Commons; and that they had actually returned one member from a western constituency to the House of Commons as the representative of their ideas. I thought at that time that this was a good policy from their point of view on the part of the Fenian body, and I thought that it would have been for the benefit of their views if they had enlarged that policy and sought to enlarge their representation. However, they have never done so. On the contrary, they denounced the member whom they had returned as their representative, and expelled him from their organisation.

58,360. When you spoke of the true revolutionary movement, where you referring in any way to the Land League organisation?—No, not at all. I was referring entirely and solely to the Fenian or physical force party or movement. I have never looked upon our movement as being a true revolutionary movement or a revolutionary movement except that it accomplished a revolution.

58,361. Is it true that you added when the correspondent asked you whether there was anything secret in connexion with the Land League, “ Nothing whatever; I would not belong to any illegal body ”?—Certainly.

(*Mr. Asquith.*) I will refer your Lordship to a passage in “ Parnellism and Crime,” at page 197 of the Blue Book.

58,362. Is it true when you got to New York you immediately communicated with Ford and the principal ex-Fenian convicts?—No, that passage is a most inaccurate and misleading one.

58,363. Did you communicate with Ford at all?—Mr. Austin Ford, as the representative of the New York “ Irish World,” in common with the representatives of many other American newspapers—all the leading New York newspapers—sought interviews with me upon my arrival, and put questions to me, and I answered them. I believe that my replies to Mr. Austin Ford’s questions were not according to his own ideas: they were not satisfactory to him; but as regards Mr. Patrick Ford. I have never had the opportunity of meeting him. I certainly should have wished to have met him, as being the owner and editor of a very large newspaper in America; but, as a matter of fact, I never did have the opportunity of meeting him. As regards the communications with the Fenian convicts, there were many of the men who had been imprisoned in 1865 and 1867 who took a part in the Land League movement. Some of them may be said to have taken a leading part in it.

58,364. In America?—In America.

58,365. Were you received on landing with an address of welcome signed by a number of citizens of New York?—Yes.

58,366. (*Mr. Asquith.*) I think this has been printed, my Lord; I will give your Lordship the reference to it?—The reception committee consisted of 300 gentlemen, numbering amongst them many of the leading citizens of New York, and including distinguished judges, senators, merchants, Presbyterian ministers, and persons of other nationality besides the American or Irish nationality, such as Germans.

58,367. (*Mr. Asquith.*) The address is printed at page 3807?—The address was read to me on board the steamer by the Honourable J. E. Develin, who was a gentleman of Conservative views.

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58,368. Is that the address which was read to you [*handing document to witness*] ?—
(*The Attorney-General.*) My Lord, that purports to be a copy from the “Irish World.” I do not wish to raise any difficulty about it, but I wish to see the document at the time.

58,369. (*Mr. Asquith.*) As far as you remember is that accurate ?

(*The President.*) Mr. Parnell will have to read it all through in order to say.

58,370. (*Mr. Asquith.*) He has seen it ?—Yes ; I think it is correct.

58,371. (*The President.*) You have read it ?—Yes ; I have read it.

(*Mr. Asquith.*) Mr. Parnell has read it before coming into the box. I gave your Lordship the reference.

(*The President.*) Yes, 3807.

(*Mr. Asquith.*) It is printed *in extenso*.

(*The President.*) I have not got the date.

(*Mr. Asquith.*) The actual date of the reception is the 4th January 1880. The report is in a newspaper of the 10th January. It is a weekly paper.

58,372. Before going to America had you heard of the existence of the Clan-na-Gael Society ?—Not before going to America. I knew nothing about the existence of the Clan-na-Gael at this time. But I learned of its existence while I was in America. I was told about it by gentlemen who were hostile to the movement. I never heard about it from any member of the Clan-na-Gael or from anybody whom I supposed to be a member of the Clan-na-Gael.

58,373. When you arrived in America did you find the Irish-Americans with whom you came into contact divided into sections or parties ?—Yes, there was the great Conservative section, of which Mr. Develin was a fair representative, who were not taking any interest at all up to the date of my visit in Irish politics or in the Irish question.

58,374. Will you give us the names of one or two of the prominent men who belonged to that section ?—Mr. Myles O'Brien, of New York, I think I recollect as one of the Conservative section, and General O'Byrne, of Washington.

58,375. Was Mr. Patrick Collins, of Boston, a member of that section ?—Mr. Patrick Collins was also a member of the Conservative section, and Mr. Boyle O'Reilly, of the “Boston Pilot.”

58,376. Patrick Collins I call him ; he is the person whose initials are P. A. Collins ?—Yes, the Honourable Patrick Collins.

58,377. Afterwards President of the Land League in America ?—Yes.

58,378. That was one of the sections. What were the others ?—Then there was the physical force party, represented, I suppose, by the Clan-na-Gael : men who believed that Ireland could only be benefited by physical force, and that she could not be benefited by Parliamentary action. That would be the second section into which the Irish were broadly divided there. Then there would be the section of the “Irish World,” which might be called the Socialistic section—the more advanced Land Reform section—who believed that the Irish landlords ought not to receive any compensation at all for their lands, and who adopted an attitude more or less of criticism towards myself personally while I was in America, and subsequently towards the Parliamentary party generally—friendly criticism from time to time, but still of criticism ; friendly criticism during this year and succeeding years to 1882 ; hostile criticism after 1882.

58,379. You are speaking now of the “Irish World” and Mr. Patrick Ford's party ?—The “Irish World” section.

58,380. Was there in America at this time when you were there among the American Irish any dynamite party ?—No, I never heard of the dynamite party until 1883, when, I think it was, we first heard about dynamite.

58,381. Now I want to call your attention to a statement of the witness Le Caron with reference to your tour in America at page 2480, and again, somewhat qualified, at pages 2681 to 2683 : “Do you know as an officer of the body and from the reports made to you, who arranged the meeting of Mr. Parnell and Mr. Dillon ?—
“(A.) Invariably, without exception, during both the eastern and western tours, the arrangements were exclusively in the hands of the leaders of the revolutionary organisation.” Is that true ?—I believe that to be absolutely false. Of course, if the arrangements had been in the control of the leaders of the revolutionary organisation I could have had no knowledge of it, or might have had no knowledge of it, at the

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time. I certainly had no knowledge of such a thing, but from what I have heard since, and from what I saw during my tour, I am absolutely convinced that the arrangements for my tour were in nobody's hands. We had to complain most strongly of the want of any organisation to receive us or to arrange for our tours.

58,382. How did you come to go from one place to another? Who used to invite you to attend?—We usually got invitations from the mayor of the city, either by telegraph or by letter, and Mr. Dillon and I were left entirely to our own instincts to know as to which city we should visit first.

58,383. I think you have prepared a map which shows the different places which you visited in America and the route which you took?—Yes, we managed our tour in a most absurd fashion owing to this want of organisation. We went here, there, and everywhere, passing many important cities which we had to return to, travelling over distances of country. In one case we went out from the eastern seaboard to Indianapolis, a town in the central west of America, a journey of considerably over a thousand miles, for the purpose of attending a meeting there, and returned the next day.

58,384. Does that map which you have got before you accurately show by the arrows and so on the route that you took?—Yes, so far as it does show it. There are some towns which are not mentioned.

(*Mr. Asquith.*) Perhaps your Lordship would like to see that?

(*The President.*) I think the general statement is sufficient.

(*The Witness.*) Your Lordship will see it very graphically.

(*The President.*) I do not think that will help us usefully.

58,385. (*Mr. Asquith.*) I understand you to say there was no organisation at all?—No organisation whatever. We crossed and recrossed our routes in every direction, and we travelled thousands of miles needlessly, which we need never have travelled if there had been the slightest organisation as regards our tour.

58,386. The day, or I think the day after your arrival at New York, did you attend a meeting at Maddison Gardens and make a speech, which Sir Charles Russell has already read?—Yes.

(*Mr. Asquith.*) My Lord, that is printed at pages 3808 to 3813.

(*The President.*) What is the date?

(*Mr. Asquith.*) I think it is the 4th of January.

58,387. Do you remember what the day of the month was?—Yes, it was on the 4th of January 1880.

58,388. You have read the report which Sir Charles Russell read. Was that an accurate report of your speech?—Yes, that is an accurate report.

(*The Attorney-General.*) Pardon me, my Lord, I do not object to it as reading a document, but where we have statements afterwards, as to a speech, I think we are entitled to know from what it is taken. It is impossible Mr. Parnell can remember it except from what is written out. I wish my friend would indicate from what source this report was got.

(*Mr. Asquith.*) I believe I have indicated it already. As far as I know it is from the "Irish World." I believe we have two reports, one from the "Irish World" and the other from the "New York Herald."

58,389. (*The President.*) Do you know from which this you have read is taken?—I think they are both the same my Lord, I think the "Irish World" report was taken from the "Herald."

(*Mr. Asquith.*) If it is the "Irish World" report it is the "Irish World" of the 17th of January.

58,390. Do that speech which you made at New York fairly represent the tenor and substance of the speeches which you made at your other meetings in the United States and in Canada?—Yes, very fairly.

58,391. I believe you addressed about 40 meetings in all?—Between 40 and 50 fixed meetings.

58,392. And five State Legislatures?—Five State Legislatures.

58,393. And the Congress of the United States?—And the Congress of the United States at Washington in Session.

58,394. How did you come to address the Congress of the United States?—We were invited by a special resolution passed by the Congress by a vote of the House of Representatives. The resolution was as follows:—

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58,395. (*The Attorney-General.*) What are you reading from, Mr. Parnell, please?— I am reading from an extract which I brought with me from America. I cannot say what newspaper it is from.

58,396. This is the original document, is it?—This is the one I brought with me.

58,397. That is the original document you brought from America?—Yes.

[*The Resolution was put in and was as follows :—*]

“ This House of Representatives agree to take part in the ceremonies to be observed in the reception of Mr. Charles Stewart Parnell, *a representative of the Irish People*, for the delivery of an address on Irish affairs, and because of the great interest which the people of the United States take in the condition of Ireland, with which this country is so closely allied by many historic and kindred ties : therefore,

“ *Be it resolved*, That the hall of this House be granted for the above purposes on the 2nd day of February next, and that the House meet on that day and time to take part in said ceremonies. Adopted— ”

That purports to be an extract from the “ Congressional Record ” of January 14.

58,398. (*Mr. Asquith.*) And you did attend and spoke before the House of Representatives?—Yes ; I was introduced to the House by the Speaker of the House, and I spoke from the desk just below his chair. My speech was printed, and formed a part of the Congressional records of that day.

(*Mr. Asquith.*) My Lords, I propose to read a part of this speech, which was made by Mr. Parnell in Congress.

(*The Attorney-General.*) What is it taken from ?

(*Mr. Asquith.*) I believe it is from the “ Irish World ” of February 14, 1880.

[*“ MR. PARNELL’S SPEECH.

“ He said, Mr. Chairman and Gentlemen of the House of Representatives—
 “ I have to thank you for the distinguished honor you have conferred upon me
 “ in permitting me to address this august assembly upon the state of affairs in my
 “ unhappy country. The public opinion of the people of America will be of the
 “ utmost importance in enabling us to obtain a just and suitable settlement of the
 “ Irish question. I have seen since I have been in this country so many tokens
 “ of the good wishes of the American people towards Ireland I feel at a loss to
 “ express my sense of the enormous advantage and service which is daily being
 “ done to the cause of my country. We do not seek to embroil your Government
 “ with the Government of England, but we claim that the public opinion and
 “ sentiment of a free country like America is entitled to find expression wherever
 “ it is seen that the laws of freedom are not observed. (Applause.) Mr. Speaker
 “ and gentlemen, the most pressing question in Ireland is, at the present moment,
 “ the tenure of land. That question is a very old one. It dates from the first
 “ invasions of Ireland from England. The struggle between those who ‘ owned ’
 “ the land on the one side, and those who tilled it on the other, has been a constant
 “ one, and up to the present moment scarcely any ray of light has ever been let
 “ in upon the hard fate of the tillers of the soil in that country.

“ REPLACED THE ARTIFICIAL BY THE NATURAL.

“ But many of us who are observing now the course of events, believe that
 “ the time is fast approaching when the artificial and cruel system of land tenure
 “ prevailing in Ireland is bound to fall and be replaced by a more natural and
 “ a more just one. (Applause). I could quote many authorities to show you what
 “ this system is. The feudal tenure has been tried in many countries, and it has
 “ been found wanting everywhere, but in no country has it wrought so much
 “ destruction and proved so pernicious as in Ireland. We have, as the result of
 “ that feudal tenure, constant and chronic poverty. We have our people discontented
 “ and hopeless. Even in the best years the state of the people is one of constant

* Passages in brackets were not read.

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“ poverty, and when, as on the present occasion, the crops fail and a bad year comes round, we see terrible famines sweeping across the face of our land and claiming their victims in hundreds of thousands. Mr. Froude, the distinguished English historian, gives his testimony with regard to this land system in the following words :—

“ ‘ But of all the fatal gifts which we bestowed upon our unhappy possession was the English system of owning land. Land, properly speaking, cannot be owned by any man. It belongs to all the human race. Laws have to be made to secure the profits of their industry to those who cultivate it, but the private property of this or that person, which he is entitled to deal with as he pleases, land never ought to be, and never, strictly speaking, is. In Ireland, as in all primitive associations, the land was divided amongst the tribes. Each tribe owned its own district. Under the feudal system the property was held by the Crown, as representing the nation, while the subordinate tenures were held with duties attached to them, and were liable on non-fulfilment to forfeiture.’ ”

“ CONDEMNED BY ENGLISH AUTHORITY.

“ Now, I look upon this testimony of Mr. Froude’s as a most important and valuable one, coming as it does from an English source, and a source which cannot be called prejudiced in favour of Ireland. As Mr. Froude says, property has its duties under the feudal system of tenure as well as its rights, but in Ireland those enjoying the monopoly of the land have only considered that they had rights, and have always been forgetful of their duties, so that, bad as this feudal tenure must be, it has worked in a way to intensify its evils tenfold. I find that a little further on Mr. Froude again speaks to the following effect :—

“ ‘ If we had been more faithful in our stewardship, Ireland would have been as wealthy and prosperous as the sister island, and not at the mercy of the potato blight. We did what we could. We subscribed money, we laid a poor-law tax upon the land, but all to no purpose. The emigrants went away with rage in their hearts, and a longing hope of revenge hereafter, with America’s help.’ ” (Applause.)

“ I could multiply the testimony of distinguished sources and distinguished men to the same effect, but I shall content myself by quoting from one more, Professor Blackie, the professor of Greek in Edinburgh University, who, in the ‘ Contemporary Review ’ of this month, writes as follows :—

“ ‘ Among the many acts of baseness branding the English character in their blundering pretence of governing Ireland, not the least was the practice of confiscating the land, which by real law belonged to the people, and giving it, not to the honest resident cultivators, which might have been a politic sort of theft, but to cliques of greedy and grasping oligarchs, who did nothing for the country they had appropriated but suck its blood in the name of land rent and squander its wealth under the name of fashion and pleasure in London.’ ”

“ THE OVER-POPULATION TALK.

“ Now, we have been told by the landlord party, as their defence of this system, that the true cause of Irish poverty and discontent is the crowded state of that country, but the fertile portions of Ireland maintain scarcely any population at all, and remain as vast hunting grounds for the pleasure of the landlord class. Before, then, we talk of emigration as the cure for all the ills of Ireland, I should like to see the rich plains of Meath, Kildare, Limerick, and Tipperary, instead of being the desert wastes that they are to-day, supporting the teeming and prosperous population that they are so capable of maintaining. (Applause.) You may drive at the present moment 10 or 20 miles through these great and rich counties without meeting a human being or seeing a single house; and it is a remarkable testimony to the horrible way in which the land system has been administered in Ireland, that the fertile country has proved the destruction of

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“ the population instead of being their support. Only on the poor lands have our people been allowed to settle.

“ I have noticed within the last two or three days a very remarkable testimony to this question of overcrowding in one of the newspapers of this country, the ‘New York Nation,’ a journal, I believe, distinguished in the walks of literature, and whose opinion is entitled to every weight and consideration. The ‘Nation’ says that the best remedy for Irish poverty is to be found in the great multiplication of peasant properties, and not by emigration, as many suppose. There is little question that emigration is good for those who emigrate, but it leaves gaps in the home population which are soon filled up by a fresh poverty-stricken mass.

“ A writer in the London ‘Times,’ giving an account of the island of Guernsey, shows that it supports, in marvellous prosperity, a population of 80,000 on an area of 16,000 acres, while Ireland has a cultivable area of 15,500,000 acres, and would, if as densely peopled as Guernsey, support a population of 45,000,000, instead of only 5,000,000 as at present. (Applause.) The climate of Guernsey, too, is as most of that of Ireland, and the island is hardly any nearer to the great markets, but nearly every man in it owns his own farm, and the law facilitates his getting a farm in fee on easy terms.

“ THE LAND IS NO MAN’S PROPERTY.

“ Now, Mr. Speaker and Gentlemen of the House of Representatives, the remedy that we propose for the state of affairs in Ireland is an alteration of the land tenure prevailing there. We propose to imitate the example of Prussia and of other continental countries where the feudal tenure has been tried, found wanting, and abandoned; and we propose to make or give an opportunity to every tenant occupying a farm in Ireland to become the owner of his own farm. (Applause.) This may, perhaps, at first seem a startling proposition, and I shall be told about the rights of property and vested interests and individual ownership, but we have the high authority of Mr. Froude, the English historian, which I have just quoted to you, that land, properly speaking cannot be owned by any man. ‘It belongs to all the human race. Laws have to be made to secure the profits of their industry to those who cultivate it, but the private property of this or of that person, which he is entitled to deal with as he pleases, land ought never to be, and never strictly speaking is.’ We say that if it can be proved, as it has been abundantly proved, that terrible suffering and constant poverty are inflicted upon millions of the population of Ireland, that then we may reasonably require from the Legislature that, paying due regard to vested interests and giving them fair compensation, they should terminate the system of ownership of the soil by the few in Ireland and replace it by one giving the ownership of the soil to the many. We have, as I have pointed out, historical precedents for that course. The King of Prussia in 1811, by royal edict, seeing the evils of the feudal tenure, transferred all the land of his country from the nobles to the tenants.

“ JOHN BRIGHT’S PLAN.

“ In a cable from London I find that, speaking at Birmingham the other day, Mr. Bright proposes to appoint a Government Commission to go to Dublin with power to sell land of landlords to tenants wishing to buy, and advance them three-fourths of the purchase money, principal and interest to be repaid in 35 years. Such a measure Mr. Bright believed would meet the desire of the Irish people. The Commission should assist the tenant to purchase whenever the landlord was willing to sell. He recommended compulsory sale only where the land was owned by London companies, as in the case of large tracts near Londonderry. He expressed the belief that self-interest and the force of public opinion would soon compel the landlords to sell to the tenants.

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[Continued.]

“ COMPULSORY EXPROPRIATION.

“ Now, this proposal is undoubtedly a very great reform and an immense
 “ advance upon the present state of affairs, and while we could not accept it as a final
 “ settlement of the land question, yet we should gladly welcome it as an advance
 “ in our direction, and be willing to give it a fair trial. The radical difference
 “ between our proposition and that of Mr. Bright is that we think that the State
 “ should adopt the system of compulsory expropriation of the land, whereas
 “ Mr. Bright thinks that it may be left to self-interest and the force of public opinion
 “ to compel the landlord to sell. That is the word he uses—‘ compel.’ While I
 “ agree with Mr. Bright in thinking that, in probability, if his proposal were
 “ adopted, the present land agitation in Ireland, if maintained at its present
 “ vigor, would compel the landlords to sell to the tenants at fair prices.
 “ I ask the House of Representatives of America what would they think of a
 “ statesman who while acknowledging the justness of a principle, as Mr. Bright
 “ acknowledges the justness of our principle, that the tenants in Ireland ought to
 “ own the land, shrinks at the same time from asking the Legislature of his
 “ country to sanction that principle, and leaves to an agitation such as is now
 “ going on in Ireland the duty of enforcing that which the Parliament of Great
 “ Britain should enforce. (Applause.) I think you will agree with me that this
 “ attempt on the part of the British Parliament to transfer its obligations and its
 “ duties to the helpless, starving peasantry of Connemara is neither a dignified
 “ nor a worthy one, and the sooner our Parliament comes to recognise its duties
 “ in this respect the better it will be for all parties and the Government of Great
 “ Britain. (Applause.)

[“ IMPORTANCE OF AMERICAN OPINION.

“ Mr. Speaker and Gentlemen, I have to apologise for having trespassed upon
 “ your attention at such great length, and to give you my renewed and heartiest
 “ thanks for the very great attention and kindness with which you have listened
 “ to my feeble and imperfect utterances in reference to this question. I regret
 “ that this cause has not been pleaded by an abler man, but at least the cause is
 “ good, and although put before you imperfectly it is so strong and so just that
 “ it cannot fail in obtaining recognition at your hands and at the hands of the
 “ people of this country. It will be a proud boast for America if, after having
 “ obtained, secured, and ratified her own freedom by the force of her public opinion
 “ alone, by the respect with which all countries look upon any sentiment prevail-
 “ ing in America, if she were now to obtain for Ireland, without the shedding of
 “ one drop of blood, without the drawing of the sword, without one threatening
 “ message, the solution of this great question. For my part I, as one who boasts
 “ of American blood—(enthusiastic cheering)—feeling proud of the importance
 “ which has been universally attached on all sides to American opinion with
 “ regard to this matter, I feel proud in saying and believing that the time is very
 “ near at hand when you will be able to say that you have, in the way I have
 “ mentioned, and in no other way, been a most important factor in bringing about
 “ a solution of the Irish land question. (Applause.) And then, Mr. Speaker and
 “ Gentlemen, these Irish famines, now so periodical, which compel us to appear as
 “ beggars and mendicants before the world—a humiliating position for any man,
 “ but a still more humiliating position for a proud nation like ours—these Irish
 “ famines will have ceased when the cause has been removed. We shall no longer
 “ be compelled to tax your magnificent generosity, and we shall be able to promise
 “ you that, with your help, this shall be the last Irish famine.”]

58,399. (*Mr. Asquith.*) Now, Mr. Parnell, do you remember also attending one of these meetings at Boston?—Yes, it was a very fine meeting at Boston.

58,400. Who was in the chair?—Mayor Prince, of Boston, was in the chair. It was held in the music hall.

58,401. That is the 12th of January, I believe?—Yes. We were received by the Honourable P. A. Collins.

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[Continued.]

58,402. Was that the gentleman you have already mentioned as one of the leaders of the Conservative section?—Yes, and J. J. Hayes, and Judge Fallon.

58,403. I believe Mr. Wendell Phillips was present and spoke at the meeting?—Yes, Mr. Phillips spoke in sympathy with our objects; we were escorted to the music hall by the 9th Massachusetts Regiment, Colonel Strahan commanding. The platform was occupied by over 200 leading citizens of Boston, together with the heads of all the various Catholic societies in the city.

(*Mr. Asquith.*) I purpose to read part of the speech which Mr. Parnell made on that occasion. This is the last of the American speeches. I am obliged to read them because your Lordship remembers one of the allegations is that they were treasonable speeches. I now read a portion of the speech. It is a report from the “Irish World.” After the introductory part Mr. Parnell says:—

“I propose to-night to go a little further, and to show to you some ways, some special methods, more than one method, which might be adopted in order to bring about the result we aim at—namely, the transfer of the soil of Ireland to the people who cultivate it.”

(*The Attorney-General.*) Wait a moment. You say this is the “Irish World” report.

(*Mr. Asquith.*) Yes.

(*The Attorney-General.*) I cannot see it. I want to follow the original report, and to see that it is accurate. A copy is put upon me which is not like what I have here in the “Irish World.”

(*The Witness.*) I am inclined to think that is taken from the report of a Boston paper.

58,404. (*Mr. Asquith.*) Is this the “Boston Pilot”?—I have the original report.

58,405. (*The Attorney-General.*) Can you lend it me?—Yes, I will bring it with me to-morrow. I have not got it with me now.

(*The Attorney-General.*) I shall not object the least in the world, but it is essential with regard to questions which I have to put, that a report should not be put upon me.

(*Mr. Asquith.*) I will hand you my copy. It may be a copy of some other paper.

58,406. (*The Attorney-General.*) You say it is not in the “Irish World”?—I think it is from one of the Boston local papers.

58,407. (*The President.*) However, I understand you to say you have it?—Yes, I have two or three local reports of my Boston speech.

(*Mr. Asquith.*)

“Now I daresay many of my hearers are aware that this programme of ours has been denounced in most unmitigated terms. We have been called Communists, and we have been told that we desire to plunder the landlords by wholesale; in fact to rob them just in the same way that they have been robbing their tenants for the last four or five hundred years. In fact our programme has been dealt with as if there were no precedents for such action, and as if the ownership of the soil by the people was a thing unheard of in the history of political economy; that when I tell you that already the legislatures of other countries have sanctioned the forcible expropriation of the soil from the landlords and its transfer to the tenants, when I point out to you some of the details by which this has been effected, and when I read to you some of the acts and edicts which have sanctioned its transfer, you will, I think, see that there is nothing which need press unduly upon any vested interests in Ireland.

“I said just now that Germany had already partially abolished the feudal system of land tenure, the feudal system being one which gives the ownership of the soil to persons who generally live elsewhere, who do not occupy themselves in cultivating it, and gives to those who may cultivate it only the right of paying as much rent as landowners may choose to demand from them from time to time. Well, in Prussia this feudal system has been entirely abolished, and under these circumstances. In 1831, at the dawn of peace, when Prussia had just emerged from a disastrous and costly war, the King took counsel with his ministers as to how he might best secure the prosperity and the contentment of his subjects; and the result of it was that an edict was issued by the King of Prussia for the regulation of the relations between landlord and tenant. When I read the edict I almost think that I am reading the preamble of some

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[Continued.]

“ of the Bills that have been uselessly brought forward during the last few
 “ Sessions of Parliament for the settlement of this important question. Now
 “ this edict is a remarkable one, and I should be glad if I may venture to trespass
 “ upon your time for a few seconds while I read the preamble to you. The
 “ preamble to the edict for the regulation of the relations between landlord and
 “ tenant recites as follows.”

Then he reads the preamble, and then he goes on :

“ I will now describe to you the way in which the State subsequently
 “ undertook to carry out the terms of this edict upon the failure of the landlords
 “ and the tenants to come to any agreement upon the subject. By subsequent
 “ legislation a law was passed for the establishment of rent banks. This law
 “ provided a method for the wholesale transfer of the lands held by the tenants,
 “ but belonging to the landlords, and by the instrumentality of these rent banks,
 “ the State constituted itself a broker between the tenants by whom the rents had
 “ to be paid, and the landlords who had to receive them. Now this was the
 “ course adopted. The banks established in each district advanced to the
 “ landlords, debentures or bonds paying 4 per cent. interest on a capital sum
 “ equal to 20 years' purchase of what the State considered through the valuation
 “ of its proper offices to be a fair rent. The peasant paid into the hands of the
 “ district tax collector monthly a sum equal to one-twelfth part of the annual
 “ interest at 5 per cent. on the amount of the purchase money, and he was
 “ compelled to continue these payments for 41 years. At the expiration of that,
 “ both principal and interest was discharged by these monthly payments. The
 “ landlord, on the other hand, as I have shown, received the debentures instead of
 “ the rent amounting to 20 years' purchase of the fair value of the rent paid by
 “ the tenant, and, as you will see, he received nothing in cash. He simply
 “ received the obligation of the State in the shape of the debenture, and the State
 “ paid him 4 per cent. per annum in interest, and received from the tenants 5 per
 “ cent. per annum for 41 years.”

Then there is a short paragraph dealing with the peculiar circumstances of Prussia.

[“ Now the reason that no money was paid by the Prussian State to the land-
 “ lords was that it was a poor one, that it had no money to pay, and that it was
 “ not able to borrow any, but it did not allow its impecuniosity and bankrupt
 “ condition to stand in the way of the welfare of its people or reduce them to
 “ starvation. Nor did it allow any supposed superiority or rights of one class to
 “ stand in the way of the progress of the country at large, and the contentment
 “ and prosperity of the subjects of the Crown. Now this is a system which has
 “ been practically carried into operation in the great country of Prussia, now the
 “ leading government of the Continent, and for my part I see no reason why the
 “ same system should not be adopted as regards Ireland. We have to contend
 “ against the prejudice of the classes in that country who desire to maintain a
 “ social influence and prestige by the power of position which the absolute owner-
 “ ship of land, and of the tenants in that land, confers both in England and in
 “ Ireland, but I think that as in other countries where agitation has become
 “ sufficiently strong, when the agitation has been made sufficiently difficult, that
 “ the Government of England will step in and that they will see, like the King of
 “ Prussia, that the time has come for it to make its Irish subjects contented and
 “ prosperous.”*]

Then he goes on—

“ But there is another method which might be adopted in Ireland in order to
 “ bring about the same result, and which perhaps might be considered more
 “ desirous, although it necessitates the handing over of a large sum of money from
 “ the State to the landlords in the way of interest. This principle has been
 “ already partially sanctioned by the legislation of Great Britain under the Bright
 “ clauses of the Land Act of 1870. Mr. John Bright, the eminent reformer,
 “ asked, when Gladstone's Land Act was being passed, that a trial might be given,
 “ and some opportunity afforded the Irish tenants to become the owners of their
 “ farms, and these Bright clauses were inserted in the Act in order to afford that
 “ opportunity. Owing to the imperfection of these clauses, and the obstruction

* The passage within brackets was not read.

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“ that the working of them has received from the Irish landlords, who do not wish
“ to see a peasant ownership or proprietorship established in Ireland, who do not
“ wish to afford the working of such a scheme the slightest chance, they have
“ remained a dead letter up to the present moment. I will shortly describe to
“ you what these clauses are, in order that you may compare them with those
“ ordained by the King of Prussia.”

[“ Under the Bright clauses of the Land Act the State or Government was
“ empowered to advance to the tenants of proprietaries voluntarily sold by their
“ landlords a sum equal to two-thirds of the purchase money paid by such tenants
“ for their holdings, and the repayment by the tenant of the principal and interest
“ of this advance was extended over a period of 35 years. Five per cent. per
“ annum on the purchase price advanced by the Government to the tenant was to
“ be annually paid by the tenant to the Government, and at the expiration of
“ 35 years the tenant would have nothing more to pay, would have the land for
“ himself, freed from all charge or incumbrance.”]*

Then he goes on—

“ Now the tenants on the various estates that have come into the market
“ since 1870 have been exceedingly anxious in every case to purchase, but in no
“ single instance have they been permitted to do so. The landlord when selling
“ has always preferred to sell his estate to a single person, rather than take the
“ trouble to divide it into small lots and sell it to his tenants; and he has in other
“ ways obstructed the workings of these very beneficial clauses; but the clauses
“ themselves are, to a very great extent, deficient in detail. They require to be
“ considerably extended, and they only apply to estates which are voluntarily sold.
“ Now it is very evident that if we wait for the landlords of Ireland, all of them,
“ to voluntarily sell their estates, and if the Irish tenants continue paying them,
“ in an uncomplaining patient way, rack rents, why a very large number
“ of landlords will never sell their estates at all. But no doubt we can compel, by
“ indirect methods, landlords to sell their estates, and then they should be
“ furnished to the Irish tenant. But we require something more than that. We
“ require to follow the example of the King of Prussia, and give the Irish land-
“ lords two years in which to transfer the land to the tenants; and if they do not
“ attend to it in that time, then the Government should step in and attend to the
“ matter themselves. You will see, ladies and gentlemen, that I do not propose
“ any very radical method of settling the Irish land question. I have simply
“ made an offer—a good offer—to the landlords, and I regret to see that they
“ should be so foolish and so blind as to stand in their own light.

“ I feel convinced that unless some method of this kind be adopted, and that
“ very shortly, that the time is fast coming when the Irish landlord will have to
“ go very much beyond that, but being one of the number myself, I am naturally
“ anxious to get as good a bargain as I can for them. In France the iron
“ hand of revolution terminated the interest of landlords. Oh, I think there
“ was also something about a lamp-post in that matter, and, although I am
“ not in favour of revolutionary methods, yet, still as a sensible man, I
“ cannot help saying that if things are allowed to continue as they are
“ in Ireland much longer our people will scarcely be able to contain them-
“ selves or to withstand the influences which must drive them towards violent
“ and revolutionary measures. I hope that the Government and the leaders
“ may see their advantage while it is not too late. A million of money would be
“ nothing for the English Government to advance in settlement of this question.
“ and they would receive every penny of it back with interest without the slightest
“ degree of risk. To a Government that does not hesitate to spend ten or twenty
“ millions a year in childish and cruel wars in all parts of the world, it would be
“ surely a good change if they would devote their attention to domestic affairs and
“ securing the happiness and prosperity of their own people at home instead of
“ destroying that of other people abroad.”

There is more in this speech, but that is all I read from it.

* The passage in brackets was not read.

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[Continued.]

58,408. Do you remember at that Boston meeting Mr. Wendell Phillips, the great American orator, making a speech?—Yes, he delivered a very eloquent address.

58,409. I will just read one very short passage from it, to show the character of it. Mr. Phillips was distinguished in the movement for the abolition of negro slavery in America?—Most distinguished.

58,410. And he says this. I will only read two or three sentences:—

“God meant that such rule”—he is speaking of the oppressive rule in Europe—“should be unsafe. The laws of his moral kingdom must be violated
“when a man can work injustice with security. Assassination is the act of the
“coward. It never did any good, and no man can countenance it, but as a second
“thought—but let us be moderate in the criticism. I am not going to criticise
“the Nihilists, nor the broken-hearted rebel in Ireland. Every line in history as
“I read it, and every interest of civilisation, bids Yankees rejoice for every wrong
“that Hancock and Adams could allege. For the suffering in Europe to-day on
“the banks of the Danube and in Berlin, Ireland has twenty to allege, and
“although I am not here to offer sympathy or criticism, to the armed resistance
“of Europe, I hear the good advice of honest old Sam Johnson, of London, which
“was, ‘My boy, eschew cant,’ and of all the cant that is about in this
“canting world—though the cant of hypocrisy be the worst—the cant
“of the American pretending to disapprove of the Nihilists in Russia, or
“the Irish in Ireland, is the most disgusting. But it was an Irishman
“that conferred on the civilised world the boon of the better method. It
“was an Irishman that, looking down into the mine of ignorance and broken-
“heartedness among his own countrymen, you may say, discovered and almost
“invented that system of modern agitation which, in all civilised governments,
“is the surest and promptest tool of redress. I am glad that our friends move
“on the safe line of accepted precedent; I am glad that, putting aside the musket,
“remind their countrymen, as O’Connell did, that he that breaks the law helps
“the enemy. Oh, let us not forget that every constitutional government owes
“an infinite debt of gratitude to O’Connell for the promulgation of this method.”

58,411. Then you attended, amongst other places, at a meeting at Cincinnati?—Yes.

58,412. And there made a speech as to which evidence has been given by the witness Le Caron?—Yes.

(*Mr. Asquith.*) It is page 2752. Your Lordships will find at that page an extract of the speech.

58,413–4. What number of meeting was this that you attended in America?—I should think it would be about the fortieth. It was, at any rate, towards the close of my tour.

58,415. It was on the 20th February, if that is the date?—The 20th February, at Cincinnati.

58,416. The Attorney-General, in opening this case, told us you could not have stirred a foot, or stopped in America, unless you had made this speech?—Yes, I heard that.

58,417. You heard that statement?—Yes.

58,418. Does it accord with your recollection of the fact?—Not in the slightest degree; nobody ever made me any suggestion whatever as to what I should say in my speeches while I was in America.

58,419. As a matter of fact this speech was not made until the 20th of February?—It was not made until I had been in the country for nearly two months—a month and twenty days.

58,420. There is a sentence in this speech to which attention has been called:—

“None of us, whether we are in America or Ireland, or wherever we may
“be, will be satisfied until we have destroyed the last link which keeps Ireland
“bound to England.”

Did you use that language?—I think it is exceedingly improbable, but I cannot at this distance of time undertake to say that I did not use it. I do not believe I did use it. It was very unlike anything else that I said in America.

58,421. This, I believe, is quoted from the “Irish World?”—

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[Continued.]

58,422. (*The Attorney-General.*) What "Irish World"?—Of the 6th March 1880.

58,423. (*Mr. Asquith.*) Have you had an opportunity of looking at the report of this speech in any of the other contemporary papers?—I brought from Cincinnati with me the report which appeared in the Cincinnati "Daily Gazette" of February 21st, the morning after the meeting, and that paragraph does not appear in it.

(*The Attorney-General.*) Let me see it. [*The extract from the paper was handed to the Attorney-General by Mr. Parnell.*]

58,424. (*Mr. Asquith.*) That is a local daily paper published in Cincinnati?—A daily paper published in Cincinnati.

58,425. Where is the "Irish World" published?—The "Irish World" is published in New York.

58,426. How far is New York from Cincinnati?—I suppose it is about 2,000 miles—perhaps not so much.

58,427–8. As far as you know—I do not know whether you had an opportunity of observing—had the "Irish World" at this, or your other meeting, a reporter of their own?—Oh, never. The "Irish World" never had a reporter at my meetings, as far as I know. As a rule, the reporting in America was not very good outside of the cities—outside of the large eastern cities.

58,429. You have examined the reports of your other speeches during the whole of this American tour?—Yes, that sentence is entirely opposed to anything I have ever uttered in any speech during my life, as far as I know, or to anything which I have ever thought; and if I did use those words, or anything like those words, I should say they must have been very largely qualified with other matter.

58,430. After visiting these various towns in the United States did you proceed to Canada?—Yes, to Canada.

58,431. You went to Toronto, I think, and to Montreal?—Yes.

(*The Attorney-General.*) Get upon the note what you purport to be put in.

(*Mr. Asquith.*) It is hardly worth while to have the whole of this printed. The evidence is wholly negative evidence. The purport of putting this in would be to show it is not in it.

(*The Attorney-General.*) Let it be handed in then to the Secretary. [*The report was handed to the Secretary.*]

(*The President.*) Yes. The Attorney-General will be able to make use of it.

(*Mr. Asquith.*) Of course it need not be printed?

(*The Attorney-General.*) No.

58,432. (*Mr. Asquith.*) You had finished your tour, or you were proceeding to Canada in the early part of March, when you received news of the dissolution of Parliament?—Yes. I had only addressed two meetings in Canada when the news of the dissolution arrived.

58,433. Did you, on learning of the dissolution of Parliament, at once suspend your tour and proceed to New York?—Yes.

58,434. Before you went to New York, or on your way there, did you send what is called a circular telegram to various prominent Irishmen to meet you in New York?—Yes.

58,435. Amongst other persons, did you send this telegram to Patrick Ford?—Yes.

(*Mr. Asquith.*) My Lords, I call attention to this. The telegram purports to be printed in the usual way. It has been put in by the Attorney-General.

58,436. It is in the "Irish World," of the 20th March 1880. It is dated "Montreal, 9th March 1880." Look at this. [*Handed to the witness.*] Is that the telegram as it appeared in the "Irish World" of the 20th March?—Yes.

58,437. That is:—

"To Patrick Ford,—Will be leaving on Thursday for Ireland in the *Baltic*.
 "Shall, of course, return to America after the elections. The work here is vitally
 "important and must go on. Tell my friends to keep the good work going and
 "the flag flying, and we shall come back with victory shining on our banners, to
 "complete a labour in America that is yet scarcely begun. Dillon remains here
 "on guard, and will keep the ball rolling till my return. Canada has welcomed
 "us magnificently, and Montreal turned out in a style that shows to our enemies
 "that Irish hearts are Irish everywhere. Men of America keep on forming

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“ Land Leagues and above all, sustain the men at home in the present crisis.
 “ Have called by telegraph a hurried conference of Irish leaders at the New York
 “ Hotel on the morning of my departure. Hope for your presence.
 “ CHARLES S. PARNELL.”

Did you ever send that telegram to Ford?—I sent some of it.

58,438. How much of it?—I sent:—

“ Will be leaving on Thursday for Ireland in the *Baltic*. Shall of course
 “ return to America after the elections. Dillon remains here till my return.
 “ Have called by telegraph for hurried conference of Irish leaders at the New
 “ York Hotel on morning of my departure. Hope for your presence.
 “ CHARLES S. PARNELL.”

The rest is journalistic padding.

38,439. Did you send a similar telegram in abbreviated form to various others?—
 I sent a similar telegram to, I should think, about 50 or 60 other gentlemen
 throughout America.

58,440. Belonging, as far as you could judge to all the different sections of the Irish
 Americans?—Yes, men of different views, belonging to the three different sections of
 which I have already spoken. It was my desire that nobody should be kept out of the
 new Land League movement on account of any views they might have held as to the
 best means of benefiting Ireland.

58,441. As the result of this conference, was the Land League of America then
 formed?—The Land League of America was formed.

58,442. Who was the first president?—Mr. Collins was the first president.

58,443. That is Mr. P. A. Collins, of Boston?—Yes.

58,444. Who was the treasurer?—Father Walsh, was it not, of Waterbury,
 Connecticut?

58,445. I believe you are mistaken in saying that Mr. Collins was the first presi-
 dent?—He was the first acting president, there was another president appointed,
 but I think he died or did not take any part.

58,446. Did Mr. Collins and Father Walsh both belong to what you have described
 as the Conservative section of the Irish?—Yes, and Mr. Flatly, the Secretary.

58,447. Was he also a member of that section?—Yes, I believe so.

58,448. Look at that, please. Is that an accurate account of what took place at
 this meeting and the resolutions that were passed?—[*Document handed to the witness.*]
 That is an accurate account of the resolutions that were adopted at that meeting.

(*The Attorney-General.*) Let me know what that is. [*The document was handed to
 the Attorney-General.*]

(*The President.*) Do these purport to be resolutions adopted at the meeting Mr. Parnell
 had summoned?

(*Mr. Asquith.*) Yes.

58,449. What was the date of the meeting?—I think the 11th or 12th of March.

58,450. 1880?—Yes, it was the day I left America.

58,451. The day you sailed?—Yes.

58,452. You were present?—Yes.

(*The President.*) I thought the telegram was of the 20th March 1880.

58,453. (*Mr. Asquith.*) That again has arisen from citing it from a newspaper. The
 telegram itself was dated the 9th?—Yes.

58,454. You attended this meeting and these resolutions were passed at it?—Yes.

58,455. Had one of your main objects been the collection of money?—Yes, chiefly
 for the relief of distress.

(*The Attorney-General.*) The resolutions had better be read.

(*Mr. Justice A. L. Smith.*) Where is the meeting?

(*Mr. Asquith.*) It was held at the New York Hotel, New York. The date is the
 13th March 1880. These are described as:—

“ ARTICLES FOR THE BASIS OF A CONSTITUTION FOR THE NATIONAL LAND
 “ LEAGUE IN AMERICA.

“ ‘ 1. That in the opinion of this meeting, it is expedient that an auxiliary
 “ ‘ organisation of the Irish Land League be formed in America, in harmony with
 “ ‘ the organisation in Ireland, and to assist its objects.’

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“ Moved by Dr. Charles J. Smith, of New York ; seconded by Justice Courtney,
“ of Brooklyn. Adopted.

“ 2. ‘ That the Irish Land League in America be organised by states,
“ ‘ territories (and district of Columbia), with an executive council for each, the
“ ‘ members of which are to be elected by the several local branches in the state,
“ ‘ each being entitled to a representation in the council in proportion to member-
“ ‘ ship. The president, secretary, and treasurer shall reside in the same city.’

“ Moved by Hon. Thomas C. E. Ecclesine, of New York ; seconded by John
“ Mullins, of New Jersey. Adopted.

“ 3. ‘ That there shall be a central council in the union, consisting of repre-
“ ‘ sentatives from the several state councils, through whom official communications
“ ‘ and funds may be forwarded to the Dublin Executive of the Irish National
“ ‘ Land League. The secretary, treasurer, and president to reside in the same
“ ‘ city.’

“ Moved by Dr. Thomas J. Kearney, of New York ; seconded by James
“ Reynolds, Conn. Adopted.

“ 4. ‘ That a convention of local associations to elect their state council for
“ ‘ the transaction of business meet with in their state at least once a year.’

“ Moved by Terence Byrne, of New Jersey ; seconded by John Devoy, N.Y.
“ Adopted.”

That is John Devoy of whom we have heard. He is a man you would describe as a member of the extreme section?—I knew him from hearsay and repute only as having had and held physical force views—that Ireland could only be benefited by physical force—by fighting in the open field ; but I did not know he was a member.

58,456. Was he what you would call a Fenian?—Yes, but I did not know he was a member of the Clan-na-gael or anything of that kind.

58,457. [Continuiny reading] :—

“ 5. ‘ That a convention of representatives of state councils be held yearly
“ ‘ to elect the central council in the same way.’

“ Moved by John F. Walsh, New York ; seconded by J. P. O’Beirne, of D.C.
“ Adopted.

“ 6. ‘ That a committee on rules be hereby appointed to draw up sugges-
“ ‘ tions for the guidance of the councils and the local associations, such rules
“ ‘ being held to be the rules of the councils and associations, unless objected to
“ ‘ by a majority of the branches and councils after the lapse of one month after
“ ‘ the notification thereof.’

“ Moved by J. R. Reynolds, of New Haven ; seconded by Judge Walsh,
“ Brooklyn. Adopted.

“ 7. ‘ That an executive committee of this meeting, consisting of one from
“ ‘ each organisation represented, be appointed to select said committee.’

“ Moved, seconded, adopted.

“ Mr. Parnell deputed to the committee itself the work of appointing the
“ committee on rules, and he suggested the adoption of the following resolution
“ as defining said duty :—

“ Resolved—‘ That a committee be appointed, with power to add to its
“ ‘ number gentlemen from all parts of the Union to carry out the resolution
“ ‘ adopted at the full meeting ; this committee to have power to consult with
“ ‘ leading gentlemen in various parts of the country, and to extend and promote
“ ‘ the organisation.’ ”

58,458. It is stated, Mr. Parnell, in the libels which are at page 197 of the Blue Book, that you left your interests in America in the hands of Ford and the Fenians ; is there any truth in that statement?—There is no truth whatever in it.

58,459. Did you leave your interests in the hands partly of Mr. Dillon, whom you left behind, I think?—Yes.

58,460. And of this new body?—The new organisation.

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58,461. Constituted in the way you have described?—Yes, which I had endeavoured to form in such a way, or to commence the formation of in such a way as to be representative of the whole Irish people in America.

58,462. And to work in concert with the Land League in Ireland?—Yes.

58,463. I was asking you just now, when you were in America, did you collect considerable sums of money for the relief of distress and for Land League purposes?—Yes.

58,464. How much?—On our arrival in New York, owing to the very increasingly alarming accounts of the distress and approaching famine which reached us from various sources, we formed the Irish Famine Relief Fund. The secretary was Mr. John E. Develin.

58,465. Is that the gentleman whom you have already mentioned?—The same gentleman.

58,466. Chairman of the Reception Committee?—Yes, and through the means of that organisation, and also by my meetings, we got together during those two months about 60,000*l.* for the relief of the distress; it had not all arrived, but it was in the hands of the committees throughout the country.

58,467. Did you collect any, and what sum for other Land League purposes?—We collected 12,000*l.* for the purposes of the Land League Organisation, but our chief efforts were directed to collect money for the relief of distress. The proceeds of all my meetings were given for the relief of distress without exception, I think.

58,468. Did you then return to Ireland?—I then returned to Ireland.

58,469. Did you find upon your return that while you had been away other organisations had been started for the relief of distress?—Yes, I found out they were started soon after my arrival in America.

58,470. What were they?—The Duchess of Marlborough's Relief Fund was started soon after my arrival in America, and it was the first step taken by the Government party to relieve the distress. Up to that time no step whatever had been taken either by Parliament or by the Government to relieve the distress, and that was an unofficial step which was taken by the Duchess of Marlborough.

58,471. Was there also a Mansion House Committee?—There was a Mansion House Committee also formed.

58,472. In addition to the sums which you and Mr. Dillon collected in America did subscriptions come also from any other parts?—Australia and Canada contributed very largely to the Duchess of Marlborough's fund and to the Mansion House fund.

58,473. How much altogether was raised for the relief of distress at that time?—Counting what was sent from America to the Irish bishops and archbishops, I should think about 500,000*l.* was sent directly for the relief of distress, and probably an equal sum was sent by the relatives of persons in America, who sent unusually large contributions at that time to their friends at home—probably during those two or three months, the first months of the year 1880, there was a million pounds sent from abroad into Ireland which would not have come under any other circumstances.

58,474. Did the Legislature also in the first session of 1880 make special provision for that?—Prior to the action of the Legislature, and about a month after our arrival in America, the Local Government Board in Ireland relaxed the rules dealing with the granting of out-door relief. They permitted relief to be given in food and fuel as out-door relief, otherwise it would have been necessary for the people to have gone to the workhouse and to have given up their holdings.

58,475. And was an Act passed called the Seeds Supply (Ireland) Act, 1880, 42nd Victoria, Chapter 1, to enable boards of guardians to borrow money for the purchase of seed?—Yes, that was the first action taken by the Legislature.

58,476. I see the date of the Royal Assent was the 1st March 1880?—Yes, it was taken early in the first session of 1880, and it was at the initiation, as well as I recollect, of Colonel Nolan, a member of our party, who drafted the bill, moved its first and second readings, and got it through its different stages.

58,477. Did the Government further introduce and carry, in the same session, an Act called the Relief of Distress (Ireland) Act, 1880, 42nd Victoria, Chapter 4?—Yes.

58,478. The date is the 15th March. What was the general scope of that Act?—It was a measure giving a grant out of the Irish Church Fund in the shape of loans

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[Continued.]

without interest for the first two or two years to landowners, desirous of borrowing money for the purpose of improving their estates, to local authorities, in the shape of sanitary authorities and boards of guardians, for the purpose of making local improvements, and so forth, but the effect of that, in my view of coping with the distress, was of a slow character, and would not have been in time if it had not been for the charity from abroad; the works had to be devised and laid out and set on foot, and the people engaged to construct them, and so forth.

58,479. All that took time?—All that takes time.

58,480. You have told us that you brought 60,000*l.* from America for the relief of distress?—60,000*l.* came from our organization.

58,481. Speaking generally, how was the 60,000*l.* sent to the Land League expended by them?—A very considerable sum of money was spent on the purchase of seed potatoes—10,000*l.*, I think, out of that money was expended on the purchase of seed potatoes—and it was just in time to enable the crop to be put in. The Land League was the first to direct attention to the desirability of a change of seed, in distributing seed potatoes among the people, and was successful in purchasing before the price of the Scotch Champions rose, as they did 200 or 300 per cent. afterwards. We bought the Scotch Champions and distributed them amongst the peasantry over the west of Ireland.

58,482. When you arrived in Ireland did you find the country in the thick of the General Election?—Of the General Election. I set to work to try and improve the future Irish Parliamentary party.

58,483. Did you find you suffered from want of funds?—Yes, a resolution had been passed at the formation of the Land League, at the tail end of the proceedings, prohibiting any of the Land League money from being used for Parliamentary purposes. I did not myself altogether approve of that resolution; in fact, I did not approve of it at all, but I supposed that it would have no material effect, since at that time I did not suppose we should have sufficient money to use for Parliamentary purposes, and I took no notice of it. However, on my return I found that resolution staring me in the face on my making application for some money to pay the expenses of our campaign.

58,484. To whom?—To Mr. Egan. However, Mr. Egan took a large view of it, and he met me, and I think the resolution was rescinded, and he gave me a cheque for 2,000*l.*, which was about all that we had for the election fight.

58,485. Did you spend that 2,000*l.* in fighting?—Yes, in fighting different constituencies. I was indebted to the Conservative Club at Cork for the expenses of my own return.

58,486. You stood, I believe, or were proposed as a candidate for three constituencies?—Yes.

58,487. What were they?—I was returned for the city of Cork, the county of Meath, and the county of Mayo.

58,488. And about how many gentlemen of your party, or representing your views, were returned at the same time?—About 40 altogether.

58,489. Was Mr. James O'Kelly one of these?—He was one of these, yes.

58,490. When did you first meet Mr. O'Kelly?—I first met Mr. O'Kelly to talk to him, and see much of him, in the preceding autumn, down in Roscommon. I met him at some Land League meeting which was being held.

58,491. You mean the autumn of 1879?—The autumn of 1879.

58,492. Before you went to America?—Before I went to America.

58,493. What was Mr. O'Kelly doing there—what was his business?—I suppose he was correspondent to some newspapers or newspaper in America.

58,494. Did Mr. O'Kelly tell you that he was or had been a member of the Irish Republican Brotherhood?—No.

58,495. Did you learn that subsequently?—Yes.

58,496. About when?—I know it now. I suppose I got to know it in 1884 or 1885.

58,497. As lately as that?—Yes.

58,498. Since Mr. O'Kelly became a member of your party, so far as you know, has he ever been connected, directly or indirectly, with any secret society or any revolutionary organisation?—No, I do not believe he has had anything to do with any

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revolutionary or secret movement since he became a member of our party in the beginning of 1880.

58,499. Do you remember, in the course of this election, going down to an election meeting at Enniscorthy, in the county of Wexford?—Yes.

58,500. Was that a meeting held in support of one of the members of your party?—Yes, Mr. Garrett Byrne.

58,501. What took place at the meeting?—We went down to the meeting, and we found our platform in the possession of an organised and armed party. We were also attacked by a portion of these men in the street as we were going down to the meeting; our band was dispersed, the instruments broken up, and most of our party were knocked down. However, with about a dozen of my friends, we succeeded in gaining the platform, with the result that the rest of those who had survived were also ill-treated and assaulted, thrown down, and kicked and beaten—thrown off the platform.

58,502. Did you discover who your assailants were?—I was informed that they belonged to the physical force, or I.R.B. party of the town.

58,503. Who were with you on that occasion?—Mr. O'Kelly, Mr. Barry, and myself were the only three that survived the attack.

58,504. (*The President.*) By surviving, you mean——?—We managed to get on to the platform and hold on to the rails.

58,505. (*Mr. Asquith.*) Survived for the purpose of the meeting?—But we were not allowed to speak. We had a very bad time of it.

(*The President.*) I have not got the date of this.

58,506. (*Mr. Asquith.*) Can you give me the exact date of that meeting?—No.

58,507. It would be in March 1880, would it, or in April?—It would be in March, I think—it was during the General Election, it must have been in March. I think I can get you the date by reference.

58,508. After the General Election was a Committee appointed by the Executive of the Land League to draw up a programme of land reform?—Yes.

58,509. Had you or had the Land League summoned a land conference to be held in Dublin?—Yes.

58,510. The date I think is the 29th April 1880. Who were the members of the Committee who were selected to draw up this programme?—The members of the committee were along with myself, Mr. Davitt, Mr. Patrick Egan, Mr. Kettle, Mr. O'Kelly, and Mr. Lowden.

58,511. I do not think we have heard of those two gentlemen before. Who was Mr. Kelly?—Mr. Kelly was connected with the old Tenant Farmers' Defence Association which the Land League had succeeded to.

58,512. Mr. Butt's Association?—Yes, Mr. Butt's organization.

58,513. You have told us who Mr. Kettle was?—Mr. Kettle was one of the honorary secretaries.

58,514. Who was Mr. Lowden?—Mr. Lowden was a gentleman in the county of Mayo who took a very prominent part in the formation of the Land League there, and of the movement generally in the west of Ireland.

58,515. I believe he was a member of the Irish Bar?—Yes, and I should think he knows more about the movements in the west of Ireland than almost anybody else.

58,516. Did the Committee so appointed draw up, with a view to that conference, and circulate a programme of parliamentary land reform?—Yes.

(*Mr. Asquith.*) My Lords, that is printed in the speech of Sir Charles Russell at page 3698.

(*The Attorney-General.*) Will you tell us what this purports to come from?

(*Mr. Asquith.*) This is the original document.

58,517. This, I see, is signed by yourself, Mr. Lowden, Mr. Kettle, Mr. Kelly, and Mr. Patrick Egan?—Yes.

58,518. How is it that it is not also signed by Mr. Davitt, whom you told us was a member of the Committee?—Mr. Davitt declined to sign it, because he thought that the compensation proposed in the report to the Irish landlords, the purchase price in fact, namely, 20 years' purchase of the Poor Law valuation was excessive, and that they ought not to have so much.

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58,519. However, the other members of the Committee agreed upon that report?—The other members of the Committee signed it, including Mr. Egan.

58,520. Then was the conference held on the 29th and 30th April in Dublin?—Yes.

58,521. And was that programme submitted to the conference?—Yes.

58,522. I think that part of the proceedings of that conference have been read already.

(Mr. Justice A. L. Smith.) In the Rotunda, was it?

(Mr. Asquith.) It was followed by a meeting in the Rotunda.

58,523. Was it held in the Rotunda?—Yes; I think it was held in one of the smaller rooms of the Rotunda.

(Mr. Asquith.) It was not the meeting that was disturbed, my Lord.

(Mr. Justice A. L. Smith.) No; I understand.

58,524. (Mr. Asquith.) It is at page 3703. It was at that conference that you made the speech which Sir Charles Russell read, and which is printed on that page?—Yes.

58,525. I want to ask you to explain one thing in the proceedings of that conference. You moved the following resolution: “That we recommend as an *ad interim* measure “in view of the desperate condition of the country until comprehensive reforms can “be perfected, that a Bill should be pushed forward with all speed suspending for two “years ejectments for non-payment of rent, and for over-holding, in the case of all “holdings value at 10*l.* a year and under, and suspending for a similar period of two “years in the case of any holding whatsoever, the right of recovering a higher rent “than the poor law valuation.” Will you explain to their Lordships the reason of the distinction in that resolution between the two classes of holdings?—I was governed by the same desire which I have explained to their Lordships at an earlier period of these proceedings, that there was a distinction between the smaller tenants and the larger tenants, and that the smaller tenants required special protection, therefore I thought that they required a special *ad interim* protection. Then also I had in view the desirability of according as far as we could in our programme with what had already been done by the legislature. I have always found it useful to build upon what has already been laid down. I find that Parliament more readily accepts an amendment to an Act, than a new Act.

58,526. To what legislature are you now referring?—I am referring now to the Land Act of 1870. Parliament had made a distinction between these classes of tenants and they had drawn the line, I think, at the 10*l.* valuation.

58,527. You refer to section 4 of the Land Act?—Section 4 of the Land Act, yes—they had given a larger number of years compensation for disturbance to tenants under 10*l.* than they had to tenants over 10*l.* I think that it was section 4 of the Act.

(Mr. Asquith.) My friend Mr. Atkinson kindly tells me it is section 3.

(The Witness.) I think that Land Act in section 3 provides seven years' purchase of the rent and compensation for tenants ejected by the landlord without cause, which are under this limit of 10*l.* valuation.

58,528. The scale of compensation ascends as the value of the tenancy—?—Diminishes, and I thought we might reasonably build upon that and claim special protection for these tenants in the fresh emergency which had arisen.

58,529. In your judgment, from what you had seen and heard of the then state of things in the country, was it necessary that some such measure as that should be carried out by the legislature. —Absolutely necessary.

58,530. I observe that in the course of the proceedings your resolution was amended by inserting 20*l.* instead of 10*l.* as the limit of the first-class holdings?—Yes.

58,531. You assented to that?—Yes.

58,532. Was a proposal also made at that conference, I think by the O'Donaghu, that the League should commit itself to the principles of Mr. Butt's Land Act?—Yes.

58,533. That is to say the fixing of rents?—Yes.

58,534. And what is called the three F's?—Yes.

58,535. Did you oppose that resolution?—I opposed it for two reasons; firstly, I thought it would be unreasonable to ask the new legislature just after its birth to rush in and attempt to find a permanent solution of this vexed Irish land question. I

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thought they ought to have time to consider the question, that Government ought to have time, Parliament ought to have time; secondly, I did not conceive that the three F's Bill proposed by Mr. Butt would be of any use to these smaller tenants.

58,536. How many of these small holdings, under 10l. holdings, were there at this time in Ireland?—I think there were about 300,000 or 320,000 of these tenancies—probably about half of the whole of the tenants.

58,537. The figures appear to be 320,000. under 8l., and 175,000 under 4l.?—My view at that time was very strong, and was quite confirmed that something ought to be done, something special ought to be done for these smaller tenants.

58,538. Was the proposal of the O'Donoghue at your instance rejected by the conference?—It was withdrawn.

58,539. And was the programme which has been put in the programme adopted, with a few slight alterations?—The programme of *ad interim*, which was suggested for meeting the present emergency was adopted with some extension.

58,540. The conference, I think, lasted for two days, the 29th and 30th April?—Yes.

58,541. On the evening of the 30th April did you hold or attempt to hold a public meeting in the Rotunda at Dublin?—Yes.

58,542. What was that meeting called together for; what was the purpose of it?—It was called together to formally sanction the resolutions which had been adopted at the Land Conference.

58,543. That was a meeting that was open to the public generally?—Yes, it was open to everybody.

58,544. I believe you presided over that meeting?—Yes.

58,545. And a number of your colleagues were present on the platform with you—your Parliamentary colleagues?—Yes.

48,546. Did Mr. McCoan, who was then a Member of Parliament, move a resolution approving of the resolution of the conference held in the morning?—Yes.

(*The Attorney-General.*) Will you give me the date, please?

(*Mr. Asquith.*) The 1st May 1880.

58,547. When Mr. McCoan came forward to move the resolution will you tell us what happened?—I should like, before we go to that meeting, to hand in a list given by Mr. T. W. Russell, in his letter to the “Times” of yesterday, of the small tenants in Donegal and illustrations.

(*The President.*) I am sure Mr. Asquith will remember in conducting the examination that we are not to investigate the question of whether or not Mr. Parnell's views were correct or for the best.

(*Mr. Asquith.*) Certainly, as your Lordships will, I think, have gathered, it is not the object of my examination to ask you to invite any judgment upon the correctness of Mr. Parnell's policy.

(*The President.*) Mr. Parnell naturally is not aware as well as you are of the rules of evidence, therefore I checked him when he proposed to go into a letter of Mr. Russell's in the “Times” of yesterday.

(*The Witness.*) It has been alleged that our action has been a pretext upon the land question.

58,548. (*Mr. Asquith.*) At that meeting, when the resolution had been proposed by Mr. McCoan, tell us what happened?—A number of men burst in upon the platform and put a stop to the proceedings; they assaulted everybody who opposed them or dissented from them; knocked down a great many of my friends on the platform with sticks, and drew revolvers and took possession of the platform. One of their number, whom I afterwards heard was Mr. O'Hanlon, came to the front and said he wished to propose a resolution—another of his friends threw the water bottle on the chairman's table—

(*The Attorney-General.*) Can you tell me Mr. O'Hanlon's christian name?

(*Mr. Asquith.*) Edward, I think.

(*The Witness.*) Then the water bottle, which was on the chairman's table, at Mr. Davitt's head, and Mr. Davitt was shortly afterwards pushed or thrown off the platform into the body of the hall.

48,549. Was there what you would describe as an attempt to break up the meeting?—It was a very successful attempt as far as the platform was concerned.

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(*The Attorney-General.*) I think you have given the wrong reference, Mr. Asquith.

(*Mr. Asquith.*) I am not quoting from anything. It is the 30th of April.

58,550. Did Mr. Davitt endeavour to obtain a hearing for this man?—Yes, Mr. Davitt got back again on to the platform, and Mr. O'Hanlon having explained to us that if he were allowed to propose his resolution and make his speech, he and his friends would be satisfied and go away. We exerted ourselves to get him a hearing but failed to do so, and Mr. O'Hanlon after having attempted to make his speech and move his resolution, tore it up and went away with his party.

58,551. Except in endeavouring in this way to get Mr. O'Hanlon a hearing, is there any truth in the statement that Mr. Davitt or anybody else on the platform supported it?—Not the slightest. I do not suppose anybody on the platform knew what the resolution was.

58,552. And is it true that after this meeting in the Rotunda there was an understanding or an alliance between the Land League and the Fenians of Dublin?—Not so far as I have ever heard.

58,553. Shortly after this, I believe, the new Parliament met?—Yes.

58,554. In May of 1880. Did the Queen's Speech on that occasion contain any reference to proposed measures for the settlement of the Irish land question?—The Queen's Speech contained no reference whatever to the Irish land question. It contained some reference to the relief of distress.

58,555. Did you, or some member of your party, call attention to the necessity of dealing with the question at once in the debate on the address?—Yes, Mr. O'Connor Power, at my request and at the request of the party, moved an amendment to the address declaring the urgent necessity for legislation upon the land question. I spoke in the debate.

58,556. Did you in your speech explain the reasons which made you think that course necessary?—Yes.

58,557. Did the Government assent to your amendment?—No, they opposed it.

58,558. Did the members of your party thereupon introduce into the House a Bill embodying that resolution which had been passed at the Land Conference?—Yes; two Bills, I think, we introduced. One for the protection of the larger tenants, and the other for the protection of the smaller ones, respectively, I think, by Mr. O'Connor Power and Mr. Gray. We balloted for days for both these Bills, and failed in obtaining any days.

58,559. They being private members' Bills, they would have to take the chance of a ballot?—Yes.

58,560. In consequence of the failure of these Bills to come on, did Mr. O'Connor Power introduce what was called a "Compensation for Disturbance Bill"?—Yes, we reconsidered the question, and came to the conclusion that a smaller Bill might perhaps escape notice of opposition, if it were introduced a few days after the session had commenced. We accordingly drafted a short Bill to repeal the ninth section of the Land Act of 1870.

58,561. That is the section, is it not, which disentitled the tenant to compensation for disturbance when he was evicted for non-payment of rent?—Yes.

58,562. Unless the rent were certified to be exorbitant?—Yes.

58,563. Your Bill proposed to repeal that section?—Yes.

58,564. Did that Bill come on for a second reading?—That Bill came on for a second reading at 2 o'clock in the morning. It escaped the notice of opposition, and it came on for second reading at 2 o'clock in the morning. Mr. O'Connor Power moved its second reading.

58,565. Did the Government oppose it or accept it?—The Government did not declare themselves definitely. They wanted more time for consideration, and they suggested the adjournment of the debate; but the attitude of the Government was more favourable upon the discussion of this Bill, towards entertaining the question of land reform, than it had been on the amendment to the Address.

58,566. And, ultimately, did the Government introduce a clause into their Relief of Distress Bill practically embodying your motion?—Embodying the principle of that Bill, but limiting it.

58,567. And afterwards, under opposition, did they take the clause out of the Relief of Distress Bill and make a substantive measure of it?—Yes, and brought it in as a separate Bill.

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58,568. Is that the Bill they introduced?—It is the Compensation for Disturbance Bill.

58,569. That Bill, I believe, passed the House of Commons, but was rejected by the House of Lords?—It was thrown out, either on the first or second reading, by a large majority by the House of Lords.

58,570. I do not want to read it, but, in effect, would that Bill, if it had been carried, have enabled the tenants in the scheduled districts to obtain compensation for disturbance, if ejected, for non-payment of rent under certain conditions?—Yes, it would.

58,571. As to proof of distress and inability to pay, and so forth?—It would have enabled the smaller tenants to obtain compensation for disturbance.

58,572. Tenants of holdings valued at 30*l.* and under?—Yes, but it had been very much cut down in its passage through the House of Commons, and at the time it passed the House of Commons it was really of very little value.

58,573. That was in June or July 1880?—Yes.

[The Bill was put in and is as follows:—]

“ [43 & 44 VICT.] *Compensation for Disturbance (Ireland).*

“ A

“ B I L L

“ [AS AMENDED IN COMMITTEE AND ON CONSIDERATION AS AMENDED]

“ TO

A.D. 1880.

“ Make temporary provision with respect to Compensation for Disturbance in
“ certain cases of Ejectment for Non-payment of Rent in parts of Ireland.

“ WHEREAS, having regard to the distress existing in certain parts of Ireland
“ arising from failure of crops, it is expedient to make temporary provision with
“ respect to compensation of tenants for disturbance by ejectment for nonpay-
“ ment of rent in certain cases :

“ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with
“ the advice and consent of the Lord’s Spiritual and Temporal, and Commons, in
“ this present Parliament assembled, and by the authority of the same, as follows :

“ 1. An ejectment for nonpayment of rent for the recovery of the
“ possession of a holding valued under the Acts relating to the valuation
“ of rateable property in Ireland at an annual value of not more than thirty
“ pounds, situate wholly or partially in any of the poor law unions mentioned in
“ the schedule hereto, or where any electoral division is specified in the said
“ schedule situate wholly or partially in such electoral division, and which
“ shall be commenced after the passing of this Act and before the thirty-first day
“ of December one thousand eight hundred and eighty-one, or which shall have
“ been commenced before the passing of this Act, and in which any judgment or
“ decree for possession shall be executed after the passing of this Act, and before
“ the thirty-first day of December one thousand eight hundred and eighty-one,
“ shall be deemed and declared by the court having jurisdiction to hear and
“ determine land claims in and for the county in which such holding is situate
“ to be a disturbance of the tenant by the act of the landlord within the meaning
“ of the third section of the Landlord and Tenant (Ireland) Act, 1870, notwith-
“ standing anything contained in the said Act,—

“ If it shall appear to the court—

“ (1.) That such nonpayment of rent by the tenant is owing to his inability
“ to pay, caused by such distress as aforesaid ; and

Temporary
provision
regarding
compensa-
tion for
disturbance

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“(2.) That the tenant is willing to continue in the occupation of his holding upon A.D. 1880.

“ just and reasonable terms as to rent, arrears of rent, and otherwise ; and

“(3.) That such terms are refused by the landlord without the offer of any
“ reasonable alternative.

“ 2. The acceptance of compensation for disturbance under this Act shall be Right of
“ a bar to any claim, under the provisions of the twenty-third and twenty-fourth redemption.
“ years of Victoria, chapter one hundred and fifty-four, or otherwise, to be restored
“ to the possession of the premises included in the ejectment for nonpayment of
“ rent ; provided always, that if it appears to the court that any person other than
“ the tenant has a specific interest in the holding, notice of the proceedings shall
“ be given to every such person, and so long as any such person may be entitled
“ to redeem the holding no acceptance of such compensation shall be valid, nor
“ shall the amount awarded, or any part thereof, be payable, unless every such
“ person shall consent thereto, or the court, having regard to all the circumstances
“ of the case, shall so direct.

“ 3. The amount of rent which may be allowed by any landlord to accrue Arrears of
“ due during the period of the operation of this Bill shall not be reckoned against rent.
“ him in calculating the arrear of rent which might in any case of ejectment for
“ non-payment of rent be sufficient to subject him to damages for disturbance
“ under the ninth section of the Landlord and Tenant (Ireland) Act, 1870.

“ 4. This Act may be cited for all purposes as the Compensation for Short title
“ Disturbance (Ireland) Act, 1880, and shall be read and construed for all purposes, and con-
“ including the making of rules for carrying into effect the provisions of this Act, struction.
“ as one with the Landlord and Tenant (Ireland) Act, 1870,

“ SCHEDULE.

County.	Poor Law Union.	County.	Poor Law Union.
“ Cavan - -	Bailieborough. Bawnboy. Cavan.	“ Galway - -	Ballinasloe. Clifden. Galway. Glennamaddy. Gort. Loughrea. Mountbellew. Oughterard. Portumna. Tuam.
“ Clare - -	Ballyvaghan. Corrofin. Ennis. Ennistynon. Killadysert. Kilrush. Scariff. Tulla.	“ Kerry - -	Cahiriveen. Dingle. Kenmare. Killarney. Listowel. Tralee.
“ Cork - - -	Bandon. Bantry. Castletown. Clonakilty. Dunmanway. Kanturk. Macroon. Mallow. Millstreet. Mitchelstown. Skibbereen. Skull. Youghal.	“ King’s Co. -	Parsonstown. Tullamore.
“ Donegal - -	Ballyshannon. Donegal. Dunfanaghy. Glenties. Inishowen. Letterkenny. Milford. Stranorlar.	“ Leitrim - -	Carrick-on-Shannon. Manorhamilton. Mohill
		“ Limerick - -	Croom. Glin. Kilmallock. Limerick. Newcastle. Rathkeale.
		“ Longford - -	Ballymahon. Granard. Longford.

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County.	Poor Law Union.	County.	Poor Law Union.
"Mayo - -	Ballina. Ballinrolee. Belmullet. Castlebar. Claremorris. Killala. Newport. Swineford. Westport.	"Tipperary - -	Borrisokane, so far as relates to the electoral divisions of CloghJordan, Merton Hall, and Ballybesky. Cashel. Neagh. Roscrea. Thurles. Tipperary.
"Meath - -	Oldcastle, so far as relates to the electoral divisions of Ballyjamesduff, Castle- rahan, and Kilbride.	"Waterford - -	Dungarvan. Kilmacthomas. Waterford, so far as relates to the electoral divisions of Killahy, Dunkitt, Water- ford, Tranmore, Islandi- kane, Reish, and Polhone.
"Roscommon -	Boyle. Castlerea. Roscommon. Strokestown.	"West Meath -	Athlone."
"Sligo - -	Dromore West. Sligo. Tobercurry.		

58,574. After the rejection of that Bill did the Land League and the Land League movement take a new start forward?—Yes. The Land League movement up to that time could scarcely be said to exist outside of the county of Mayo. It had extended a little into Galway, but in consequence of the urgency of the distress and partial famine in Ireland, no attempts had been made to extend it outside of Mayo where it originated. Practically speaking it was non-existent in 30 out of the 32 Irish counties.

58,575. (*The Attorney-General.*) What counties besides Mayo?—Mayo and part of Galway. Upon the rejection of this Compensation for Disturbance Bill the movement spread like wildfire through every quarter of the country, north, south, east, and west spontaneously, and we were compelled to appoint organisers, which were then appointed for the first time in order to instruct the people, in order to cope with the demands for somebody to instruct the people in all parts of Ireland as to the way in which Land League branches were to be formed.

58,576. (*Mr. Asquith.*) Who were the organisers who were appointed?—I think that Mr. Sheridan and Mr. Boyton, and Mr. O'Kelly, and Mr. Matthew Harris, and some others, whom I do not remember, were appointed at this time.

58,577. What did you know at the time of this appointment about Mr. Boyton?—I personally did not know very much about him. He was appointed upon the recommendation of Mr. Davitt, who had known him.

58,578. And how as to Sheridan?—Sheridan was, I think, appointed upon the recommendation of Mr. Egan. I had not known him previous to the Land League movement.

58,579. Did you know at that time or afterwards that Sheridan was a Fenian or had been a Fenian?—No. I have no reason to suppose even now that he ever had any connexion with the Fenian body after he was appointed organiser for the Land League.

58,580. How as to Mr. Matthew Harris?—Mr. Matthew Harris I had met. I had met Mr. Matthew Harris in the year 1877 and subsequently. He was a well-known figure in politics in the West of Ireland, and well known as a land reformer.

58,581. Was he known to you as a Fenian or a person who had been a Fenian?—No, I never knew that he had been connected with the Fenian organisation. He also, I believe, now has ceased his connexion with it, or was turned out of it when he joined the League.

58,582. At this time I think you had been elected chairman of the Irish Parliamentary Party?—Yes.

58,583. About this time?—Yes.

58,584. Did you from this time onwards take up your residence in England?—Chiefly, yes.

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58,585. Going over to Ireland from time to time to speak at meetings and transact business?—Yes, I used to go over to Ireland to attend the great meetings which were held, in the autumn of 1880, and then return to this country.

58,586. Did you yourself personally take any active part in what I may call the everyday work of the Land League?—Not at all. I had no part in the working of the office or the control of the office until Mr. Sexton's appointment subsequently in 1881.

58,587. Who were the persons who were in actual control of the central office at this time?—The chief control was vested in Mr. Davitt and Mr. Egan, and secondarily in Mr. Brennan, but Mr. Davitt and Mr. Egan were the two managers of the Land League so far as the central office went.

58,588. On your return from America when, you had left Mr. Dillon there, had Mr. Davitt gone to America to take your place?—He had gone in the summer-time and returned.

58,589. I believe he was absent in America for some months in the year 1880?—Yes, he returned, I think, after the commencement of the State Trials.

58,590. That would be in November or December of 1880?—Yes.

58,521. At this time in the absence of Mr. Davitt, Mr. Egan and Mr. Brennan were the persons in effective charge of the organisation in Dublin?—Yes.

58,592. Although you were not taking part in the every-day work of the League, will you give their Lordships a general statement of what the work of the League at this time was?—

(*The Attorney-General.*) Does he know?

58,593. (*Mr. Asquith.*) Do you know?—Yes, I know what the work of the League was, speaking generally.

58,594. You were president of the League?—It consisted in the collection of information with regard to the condition of the estates within the area of the different branches; the terms and relations they were on with their landlords; the amount of the rents; their comparison with the poor law valuation; claims for reduction of rent where the amount was high or excessive; then the succour of evicted tenants; the providing of them with houses and weekly grants of money.

58,595. Did it take any part in the conduct or defence of legal proceedings?—Not at this time. I do not know when that practice sprang up of defending prisoners. It was never formally resolved upon. It probably grew up when the organisation became disorganised after the driving of Mr. Egan to Paris and the arrest of Mr. Brennan and so forth.

58,596. Did you at this time take any part in the defence or conduct of civil proceedings such as ejectments?—Yes, we used to defend tenants who were threatened with ejectment proceedings or process for rent or anything of that kind.

58,597. Had you yourself at this time anything personally to do with the expenditure of the funds of the League?—No, I never had anything to do with the expenditure of the funds of the League, save for a short while—about two months—in the autumn of 1882.

58,598. A period long subsequent to this?—Yes.

58,599. You attended, as you have told us, various meetings in Ireland during this autumn?—Yes.

58,600. And your speeches at those meetings have been put in and read?—Yes.

58,601. And you are prepared to answer any question the Attorney-General may like to put to you upon them?—Certainly. Our general object in our movement during that time was this. The Legislature having failed to protect the tenants, we undertook the risk of forming the tenants into a protective association for the purpose of mutual defence, one of the principles of that protection being that the strong should help the weak and that all should act together; and I also endeavoured to show the country that they had good prospects as regards renewed and more perfect legislation upon the land question for the ensuing session.

58,602. Did you, as a means of protecting and making effective that combination, advise, under certain conditions, the use of what has since been called "boycotting"?—Yes, boycotting; but never of intimidation.

58,603. You have heard of a speech, which is quoted in the libels here, made by Mr. Matthew Harris at one of these meetings, at Galway, I think, on the 24th October 1880, in which he compared the landlords of Ireland with partridges?—Yes.

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58,604. It is stated in the libels at page 198 that this speech was made by Mr. Harris, standing at your side ; is that true ?—No ; I was not on the platform. I believe I was at the hotel at the time. I had left the platform and gone to the hotel for some luncheon.

58,605. Had you left the meeting ?—Yes, after my own speech

58,606. You had been present ?—Yes, I had spoken previously, and then I went away.

58,607. Did you subsequently read Mr. Matthew Harris' explanation and qualification of that speech ?—Yes, I heard about it and read it.

58,608. You have told us that Mr. Davitt about this time, the latter end of the autumn, returned from America. Did the subject of the growth of agrarian crime form the subject of discussion between you and Mr. Davitt at this time ?—Yes, Mr. Davitt directed my attention to the alarming increase in agrarian crime throughout the country.

58,609. (*The Attorney-General.*) When is this supposed to be ?—It was in December 1880 upon his return from America. It was during one of my visits from England to attend the preliminary proceedings about a meeting for making our defences against the Government proceedings. My meetings at that time were over.

58,610. (*Mr. Asquith.*) One ought to mention that what is called the State trial, the prosecution by the Government, began in November 1880 ?—Yes.

58,611. You were prosecuted in respect of the speeches which you had been delivering in the previous part of the autumn ?—Yes. Mr. Davitt had been in the country some little time. He had been in the office of the League, and he told me he had received very alarming reports of the increase of crime from the League branches and from other persons throughout the country—that this crime, apart from its moral wrong, would damage our movement enormously, both at home and abroad, and he said that we must take some steps to do what we could to check it. I agreed with him in his opinion. I had not myself been previously aware that crime had increased. This was the first information or intimation I had of any unusual increase in the crime of the country. And it was arranged that a circular should be issued amongst other things condemning crime.

58,612. (*Mr. Asquith.*) That is printed at page 3712 ?—And Mr. Davitt also agreed at each of his subsequent meetings——

(*The Attorney-General.*) What do you say this is taken from ? Did Mr. Parnell issue this circular himself ?

58,613. (*Mr. Asquith.*) Yes ?—I saw it before it was issued.

58,614. Is that the original circular ?—Yes, this is it.

58,615. You issued that circular, and you were going on to say something of Mr. Davitt ?—Mr. Davitt agreed at the forthcoming meetings which he had engagements to attend—my own engagements being finished at that time—to strongly denounce crime at each of these meetings, and to do all he could to show the people the injury that was being done to our cause by this crime.

58,616. Did Mr. Davitt attend a number of meetings afterwards ?—Yes, he did.

58,617. And carried out those instructions ?—I think I am correct in stating that at each of the subsequent meetings which he attended he strongly denounced crime, and continued to do so up to the date of his arrest.

58,618. Of course you were not there, but you read the speeches ?—I read the speeches. I had occasion to read them.

58,619. (*The Attorney-General.*) Do you mind telling me in what you read the speeches ?—In the "Freeman."

58,620. (*Mr. Asquith.*) About this time do you remember the question of an audit of the Land League income and expenditure being made ?—Yes. That was just before the State prosecutions commenced. It was always intended that our books should have been subjected to a regular audit by a public accountant—the books of the Land League—and they had been regularly kept with that view ; and the audit was partially proceeding at the time of the State prosecutions and the introduction of the Suspension Act by Mr. Forster.

58,621. In the beginning of 1881 ?—In the beginning of 1881, when Mr. Egan was obliged to go to Paris. It was interrupted—at least, I have always understood it was interrupted—by his having to leave the country and to take some of the books with him.

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58,622. Have the books of the National League been from the first kept in a form which admits of their being audited?—From the first.

58,623. And have they been in fact audited?—They have been audited every year regularly by a public accountant. And the same thing would have been the case with the books of the Land League if it had not been for the extraordinary series of attacks that were made upon the officers of the Land League, which rendered it quite impossible to keep any regular books at all during long intervals of time.

58,624. We will come to that. April, or May, or early in the following year, the year 1881, did Mr. Forster introduce his Bill for the Suspension of the Habeas Corpus Act in Ireland?—Yes.

58,625. That Bill I need not say was stoutly contested by you and your party?—Yes.

58,626. While that Bill was in progress, was Mr. Davitt arrested?—Yes.

58,627. He was out I think on ticket-of-leave?—Yes, he was arrested under the ticket-of-leave.

58,628. And sent back to prison?—A most deplorable event.

58,629. In your judgment was Mr. Davitt's controlling influence of value in Ireland at the time?—Of the greatest possible value. I considered Mr. Davitt's arrest then as I do now, a most deplorable event from every point of view—from the point of view of the Government and from our own point of view. He was the one man who from his history and position had the greatest influence in controlling the Irish people within the limits of legality.

58,630. Before the passing of the Coercion Act as it is called, did Mr. Egan go to Paris?—Mr. Egan left for Paris to avoid arrest as treasurer of the League, and to make the arrangements necessary for carrying on the work of the League from Paris.

58,631. Would that be early in February?—That would be early in February.

58,632. After Mr. Egan went to Paris did you and the other members of the executive join him in Paris?—Most of the leading members of the executive went over to Paris. We had Mr. Biggar and Mr. Dillon I think, Mr. Brennan and Mr. Kelly and Mr. Loudon. All the leading members of the Executive Committee went over to Paris to consult with Mr. Egan as to the way in which the Land League could be carried on, whether it could be carried on at all, and if so, how.

Adjourned for a short time.

58,633. (*Mr. Asquith.*) You told me that you went to Paris in the month of February to see Mr. Egan, in company with certain other members of the Executive of the Land League?—Yes.

58,634. Was Mr. Matthew Harris with you?—Yes, he was in Paris—he came to Paris.

58,635. Was Mr. Brennan there?—I think so.

58,636. Was Sheridan there?—I think not—no, Sheridan was not a member of the Executive Committee.

58,637. I think you told us he was an organiser?—He was an organiser in the west of Ireland.

58,638. Were the organisers not members of the Executive?—Except Mr. Matthew Harris. I think he was a member of the Executive. I do not think any of the others were, except, perhaps, Mr. O'Kelly. He was more a chief organiser than an organiser.

58,639. Sheridan and Boyton, were they there?—I do not think so. Sheridan was not, and I think Boyton was not a member of the Executive.

58,640. While you were in Paris on this visit, did you write the letter for publication to the Irish Land League which has been already read?—Yes.

58,641. Your Lordships will find it at page 3804. That letter is dated the 13th February 1881. Now is it true, Mr. Parnell, that while you were in Paris upon this visit to Egan, you, Egan, and the others were arranging for some unconstitutional action in Ireland or elsewhere?—It is absolutely untrue. There was nothing unconstitutional or illegal proposed, suggested, or discussed by anybody; and our proceedings in Paris were perfectly legitimate in every way, and had

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sole reference to the conduct of the movement in Ireland—that is to say, the possibility of continuing our advice to the tenants or the desirability of continuing our advice to the tenants, and how we were to relieve them when they were evicted and so forth, just what we had been doing in the autumn of 1880—in view of the Coercion Act—whether it would be possible to carry on the machinery and organisation of the League from Dublin—a suggestion that it should be carried on secretly had been made by somebody—I do not know who, whether it was made at some meeting of the League in Dublin or not, I do not know, but it was not made by any of us in Paris.

58,642. Did you resolve to continue to carry on the organisation from Dublin?—Yes, and we decided that the organisation—we nominally decided, that there should be no attempt made to carry on the movement in a secret form, and that it should be continued to be managed from Dublin and be carried on from Dublin just the same as usual, and that as fast as officials and others of the League were arrested, fresh men should be appointed to take their place.

(*Mr. Asquith.*) I am referring now, my Lord, to page 93 of the Blue Book, and page 28 in the proceedings before you this is at page 2039.

58,643. Is it true that there was any discussion between you on the subject of reprisals against English or Irish officials?—Not the slightest.

58,644. Is it true that you arranged at this meeting that Sheridan, Walsh, and Byrne should be sent to Ireland to re-organise the Circles of the Fenian Brotherhood for the commission of murder and outrage?—Not at all.

58,645. Is it true that Sheridan, Walsh, and Byrne, or any or either of them were provided with money out of the League funds for that purpose?—Absolutely unfounded as far as I know or ever heard.

58,646. Were Walsh and Byrne in Paris at the time?—No, neither of them were in Paris. Byrne did not belong to the movement until some time subsequently, when he became secretary of the English branch of the organisation which was not in existence at that time. Byrne was then secretary of the Home Rule Confederation of Great Britain.

58,647. Was Byrne at any time in any way an officer of the Irish Land League?—Not of the Irish Land League.

58,648. Was Walsh—I am now speaking of John Walsh of Middlesborough—was he at any time an officer or member of the Irish Land League?—No; he was an organiser for the Land League of Great Britain, but never for the Irish Land League.

58,649. You say there is no foundation for that statement?—Not the slightest foundation.

58,650. Then on your return from Paris to London, did you take part in the discussions on the Land Bills which were introduced in 1880 and 1881?—Yes. I spoke upon the first reading. I should like to put my speech upon the first reading of the Land Bill in. If we have not got it now, perhaps the Court will allow it subsequently—to-morrow—to be put in.

(*Mr. Asquith.*) I cannot give your Lordships the exact reference at this moment. It is a speech in the House of Commons. It is important, and it shows the attitude Mr. Parnell took up from the first.

58,651. Did you also after the introduction of the Bill, make speeches at various places, both in England, Scotland, and Ireland, on the subject of that Bill?—Yes. I spoke at the Free Trade Hall, Manchester, at Newcastle-on-Tyne, and also at Cork, and later on at a convention that was held in Dublin to consider the Land Bill.

58,652. Now before reading any of that, would you state to their Lordships, in reference to all these speeches that you made at this time, what was the line you took up in relation to the Bill?

(*The Attorney-General.*) If it appears from the speeches I do not object to it, but I cannot have statements apart from the speeches.

(*The President.*) Well, but I am very glad to have it just in that form, rather than to have all the speeches. It must be remembered that these speeches are not admissible in evidence, except for the purpose of explaining their general object.

(*Mr. Asquith.*) As explaining the object, I thought your Lordship would prefer to have it put in that way.

(*The President.*) I do.

58,653. (*Mr. Asquith.*) Will you state generally then to their Lordships what in these speeches, and in other ways, was the line you took up in reference to the Land Bill in

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1881?—We were undoubtedly impressed with the largeness of the measure, but at the same time we were not able to conceal from ourselves, that as regards the smaller class of tenants, constituting as I have already explained, more than half of the whole number, the measure would prove defective in their protection; the absence of any provision for dealing with arrears was one of the matters which impressed itself upon us, in reference to this smaller class of tenants; also the delay and expense of the proceedings for enabling a judicial tenancy to be obtained; the constitution of the tribunal contained in the original Bill, as read a first time. Originally the County Courts were the tribunal appointed; we also objected to that. We did not think the County Court judges a satisfactory tribunal to adjudicate between landlord and tenant. Then we also had to regret the absence of any provision for the leaseholders, who constitute really, the class of the Irish tenants who might have been effectually protected by the Land Act, and this class was left out.

58,654. The Bill only appears to protect or to admit yearly tenants?—Yearly tenants. All the yearly tenants were small tenants, speaking generally, and the leaseholders were the larger tenants. Then we also felt that there was no adequate provision in the Bill for the benefit of the labourers, and we considered that the whole of the purchase-money, instead of only three-fourths, should have been advanced.

58,655. That is in the purchase clauses?—Yes.

58,656. Those were in general the objections you took?—Those were in general the objections we took to it; and, of course, underlying all that, there was a difficulty in reconciling by legislation, the system of a joint proprietorship in the soil, which was practically what this Land Bill established. Our view was that the best and simplest method was the establishing of a proprietary ownership.

58,657. That had been the principle of the Land League from the first?—Yes.

58,658. Did you explain and elaborate these various objections in the speeches?—In the speeches; and I pointed out the proper attitude for us to take up now that this measure had been proposed was, to endeavour to improve it in Committee; to make the best of it while it was passing through the House of Commons, and after it was passed, if it passed in any shape, that we could accept it *pro tanto*, make it effectual in its working.

(*Mr. Asquith.*) You Lordships have intimated that you did not desire these speeches to be read; perhaps it may be sufficient that I should give the names, the places, and the dates?

(*The President.*) You may do so, but I must again point out this: It has a very remote bearing, if any bearing at all, upon the question before us. Remember the suggestion is, that the persons accused have been engaged in illegal transactions. It does not prove that they were not engaged in illegal transactions to show that they, at some time, carried on what is plainly a constitutional agitation. Therefore this elaboration of the constitutional movement does not appear to me to be proper to be carried any further than it is at present.

(*Mr. Asquith.*) If your Lordship pleases. We only want to make it plain that they were carrying out a constitutional object by constitutional methods, and for a constitutional end.

58,659. Did you summon a meeting and attend a Convention of the Land League at this time in Dublin?—Yes.

58,660. I think it was held on the 22nd of April 1881?—Yes.!

58,661. At that Convention was a resolution proposed and carried leaving it to the discretion of the Parliamentary party to take up what attitude they pleased with regard to it?—Yes.

58,662. And in the subsequent discussion of the Bill in Committee, you and your colleagues did endeavour to improve it according to your views of what was necessary?—Yes.

58,663. The Land Act was passed, I believe, about the month of August?—Yes.

58,664. Now, prior to that, in the spring of this year, under the operation of Mr. Forster's Act, had various officers of the League from time to time been arrested and imprisoned?—Yes. First, Mr. Davitt was arrested before the passage of the Coercion Act. Then very soon afterwards came the arrest of Mr. Brennan, the secretary of the League. Then came the arrest of Mr. Kettle, one of the other secretaries of the League. Then came the arrest of Mr. Dillon, who had been appointed to succeed Mr. Brennan.

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58,665. Appointed by you to succeed Mr. Brennan?—Yes.

58,666. That was, I think, in the month of May; whom did you appoint as Mr. Dillon's successor?—I asked Mr. Sexton to go over and take charge of the movement in Ireland.

58,667. What instructions did you give Mr. Sexton at that time as to the conduct of the movement in Ireland?—I told him that as it appeared likely the Land Bill would pass, that I thought we ought to moderate the movement somewhat, always having regard to the risk, that if the movement were moderated too much, the House of Lords might throw the Bill out.

58,668. What did you mean by "moderating the movement"?—Moderating the movement as regards the tenants, to allow the interests in their holdings to be sold; as regards advising the tenants to ask abatements from their landlords, and to refuse to pay if they did not get suitable abatements where the rents were excessive—I told Mr. Sexton I thought the movement ought to be moderated in those particulars; and he ought not to advise the tenants in the way they had been advised up to the present, not to the same extent.

58,669. Did Mr. Sexton go over to Ireland to take charge of the office?—Yes.

58,670. Well, then, it is about this time the witness Le Caron, whose evidence you have heard, alleges he had an interview with you in London?—Yes.

58,671. Have you any recollection of having had such an interview with Le Caron or any interview with him?—I did not remember either his name or his appearance; I think it is very possible I may have had an interview with him.

58,672. I understood you to say you did not recognise him?—No, I cannot recall his appearance or his name at all. I have no recollection of him, until I saw him in this witness box.

58,673. Were you in the habit of seeing at the House of Commons from time to time visitors from America?—Frequently. I have seen American gentlemen passing through London very frequently in every year; and I saw American gentlemen during that time also, and Beach or Le Caron may have been amongst the number. He would have had no difficulty in obtaining an interview with me if he had wished to get one.

58,674. Did you ever say, either to Le Caron or any other person—I am now referring to page 2500—"I have long since ceased to believe that anything but the force of arms will ever bring about the redemption of Ireland"?—I never said that, and I never even thought it at the worst period of coercion. I never for one single instant doubted that the constitutional movement and our Parliamentary action would succeed in the end.

58,675. Did you say that you did not see any reason why, when you were prepared and had sufficient money, and were armed and organised, a successful insurrectionary movement should not be inaugurated in Ireland?—I never said that to anybody.

58,676. Or words to that effect?—Or words to that effect. I never thought of such a thing.

58,677. Did you say this: "I think from the outlook that we will, at the end of the year, get in the Land League treasury a sum of 100,000 dollars"—dollars it is printed here, I think he said pounds.—"That is a pretty good nucleus"?—No, I never said that to anybody, in such a connexion.

58,678. Or that "You folks"—referring to the Irish in America—"ought to do as well as that"?—Oh, no; that conversation is entirely imaginary.

58,679. Did you enter into the question of estimating the amount of money and the number of men required?—No, I never did.

58,680. Or for an insurrectionary enterprise of any kind?—No, I never did.

58,681. Did you instruct this man, or any other man to enter into communication with the leaders of the Clan-na-gael organisation in America for the purpose of negotiating an understanding?—No, I never sent any message either to the Clan-na-gael or to any of the persons mentioned by Beach.

58,682. They were, I think, Dr. Carroll, Devoy, Sullivan, and Hynes?—Yes, I never had occasion to communicate with any of these gentlemen, and as a matter of fact I never did from the time I left America in the November of 1880—

58,683. I believe you have never returned to America?—No, except Mr. Sullivan; I think Mr. Sullivan is one of those mentioned. I have communicated with him since he became president, while he was president, of the National Land League of America, wrote to him one or two formal letters.

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58,684. Have you either directly or indirectly communicated with any of those persons for the purpose that is suggested by the witness? Not at all. I never thought of such a thing.

58,685. Did you ever after this time, which I think is fixed by the witness as May 1881, did you ever see in Europe, either in Great Britain, or Ireland, or France, or elsewhere, any one of those gentlemen?—No.

58,686. Was there, so far as you know, ever any such understanding between the V.C., or whatever it is called in America, and your movement here?—I never heard of any such understanding at all. I never heard even the name of V.C. or U.B. before I heard it from the witness.

58,687. Had you previously heard of this organisation as the Clan-na-gael?—I always understood that was the American secret, or physical force party.

58,688. Had you at any time, secretly or openly, an understanding or alliance with the Clan-na-gael?—I never had the slightest understanding or alliance, and I never heard such a thing suggested or proposed by anybody connected with our movement.

58,689. This witness says that he gave you, or rather that you gave him, a photograph of yourself, and also that you subsequently sent to him a photograph. I should like to have that handed to the witness?—I think it is very unlikely I should have given him a photograph. I was not in the habit at any time of giving photographs.

58,690. I should like you to see that photograph. The Secretary will kindly produce it.

(*The Secretary.*) It is No. 56, February 12th. [*It was handed to the witness.*]

58,691. (*Mr. Asquith.*) That is a photograph of you, Mr. Parnell?—Yes.

58,692. Do you know when and where that photograph was taken?—It appears to have been taken by Delie, in Paris.

58,693. Do you know what date you had your photograph taken in Paris?—I am inclined to think that that is a copy from one of Lawrence's photographs.

58,694. Lawrence is a Dublin photographer, I am told?—Yes. However, I may have had my photograph taken at Paris, but I do not recollect it at all.

(*Mr. Asquith to the Secretary.*) Have you the envelope?

(*The Witness.*) I do not recollect having this photograph in my possession at that time. This appears to be my genuine signature at the bottom of it.

58,695. It is your genuine signature?—Yes.

(*The Secretary.*) There was no envelope given with that, but with one of the others. There was a sheet of paper. It was handed in with this sheet of paper, with the House of Commons stamp upon it.

(*The Witness.*) I often have photographs sent to me by people with the request that I should write my name upon the bottom of them, and return them to the person who sends them. Possibly this photograph may have such a history as that, but I cannot say for certain.

(*Mr. Asquith.*) There must have been an envelope handed in, I think, by the witness. It is referred to at page 2734, at Question 46,234. He says:—

“ Is that the photograph you received from Mr. Parnell?—(*A.*) I would like

“ to state that I have received two photographs from Mr. Parnell; this is one.

“ I would not swear that this is the first or the second, but this is the photograph.

“ (*Q.*) Just explain a little further what you mean by receiving two; was it on

“ the same occasion?—(*A.*) No; there was one of them mailed to me to the head-

“ quarters of the Land League in Dublin, inclosed in this sheet of paper, with the

“ House of Commons stamp upon it and one in this envelope.”

So that I think there must be an envelope—a directed envelope.

(*The Secretary.*) If it was handed in it would certainly be here, but he may have kept it.

(*The Witness.*) I am inclined to think that the witness must have got that photograph from somebody else but me.

58,696. (*Mr. Asquith.*) You do not think you gave it to him?—I am nearly certain I did not give it to him.

58,697. Now, you have told us that about this time you sent Mr. Sexton to take charge of the office in Dublin. Did Mr. Sexton shortly after getting there fall ill?—Yes, he fell ill soon after and he did not tell us how ill he was. He was in charge of

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the office, I should think, for over two months; during much of that time he was very little able to attend to the business of the office, owing to the state of his health.

58,698. What was result of that?—The result of that was that when I went over in the autumn of 1881, after the passage of the Land Act, I found that for a couple of months—I should think the months of July and August, speaking from recollection—no proper books or suitable books of account had been kept in the office, and the office had got into a most complete state of demoralisation. The clerks were doing just exactly as seemed good to each of them, and there was no head, and no suitable control over the proceedings of the office.

58,699. Did you take steps to remedy that state of things?—Yes, I asked Mr. Arthur O'Connor, an experienced man, who had had a business training in the War Office to come over and take charge of the accounts and office of the Land League, and direct the policy of the Land League; and also to open a fresh set of books with a view of having an audit of the accounts of the League at the end of the year.

58,700. Did Mr. O'Connor come over in the month of September and take charge of the office?—Yes, he came over and took charge. He was in charge, I think, for a very short while before we were all arrested.

58,701. In that same month, September, did you hold a Land League Convention in Dublin to consider the policy of the League in relation to the Land Act which had now passed into law?—Yes.

58,702. Without going into detail in the proceedings of that conference, was this resolution arrived at:—"That, in order to ascertain precisely and speedily the true effect of the Land Act on the rental of Ireland, whilst at the same time preserving and uniting and maintaining the strength of the National Land League, the executive be authorised to select at their discretion test cases upon estates in various parts of Ireland and cause them to be brought before the Court."

(*The Attorney-General.*) What are you reading from. I may explain to their Lordships—

(*The Attorney-General.*) Allow me one moment. It is a leading question; if it is any thing I can test, I do not mind.

(*Mr. Asquith.*) This is the 16th of September 1881, "Freeman's Journal."

58,703. Was that resolution adopted upon your advice?—Yes, as a mean between the position taken up by the section of the Land League who did not want to have anything to do with the Land League at all, and my own position. It was a compromise really adopted that the Land Act should be tested first before it was used.

58,704. Did you proceed after the passing of the resolution yourself, to supervise the selection of the test cases?—Yes, I employed the machinery of the Land League and the organisers of the Land League to investigate and collect these test cases. Amongst others I employed Mr. Sheridan for that work.

58,705. Now, upon what principle did you select them, and in what numbers?—We selected about a thousand test cases altogether, and the principle that we had in view was to select neither a very high nor a very low rent, but one upon which some substantial reduction might fairly be expected.

58,706. What you would describe as an average?—Perhaps a little above the average. I should think no rent would be more than 20 or 30 per cent. above the Poor Law valuation.

58,707. While you and the other officers of the League were engaged in the selection of these cases were you arrested?—Yes, at the time of my arrest we had filed a considerable number of applications in the Land Commission Court. I should think some 400 or 500.

58,708. Of these test cases?—Yes. Our object, of course, was to avoid the expense and the inconvenience of all the tenants going into court without organisation in the uncertainty, and to set up a standard by the result of these test cases in different parts of the country, by which every tenant would know what his rent would probably be reduced to, or fixed at if he went into the court, so that he might come to an agreement out of court with the landlord.

58,709. You were arrested, and, I believe, Mr. Dillon, Mr. Sexton, and Mr. O'Kelly also?—Yes.

58,710. And Mr. William O'Brien?—Yes.

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58,711. Were you and these other gentlemen from that time—that is to say, October 1881——?—We were also engaged in testing the provisions with regard to leaseholders. There were clauses which broke down.

58,712. Which admitted certain classes of leaseholders and excluded others?—Yes.

58,713. You had selected test cases for that also?—Yes.

58,714. Did you and these other gentlemen remain in Kilmainham until April 1882?—Yes.

58,715. Immediately after going in there did you issue what is called the No Rent Manifesto?—Yes.

58,716. What explanation, Mr. Parnell, can you offer of the issue of that No Rent Manifesto?—At the time that we issued the No Rent Manifesto, the Land League, although not formally suppressed—for the Proclamation was not issued until after the issue of the No Rent Manifesto—the Land League was practically suppressed. All the officials of the League had been either arrested or compelled to leave the country by the issue of warrants for their arrest—all the officials of the Central Body. Even the same thing was done in regard to the clerks, and it became absolutely impossible to carry on the League, so far as its central organisation was concerned, any longer. They even arrested under a warrant on a charge of intimidation the office boy who was carrying the letters to the post. The same thing happened with regard to “United Ireland,” the printers and machinists, and everybody that the Government chose in connexion with that paper were arrested under the Suspension Act, and the local leaders throughout, the local officials of the branches were also arrested in large numbers. I think there were one thousand arrests made altogether within a very short time after I was arrested myself. So the Land League was practically suppressed. Owing to the suspension of the Tenants’ Protective Organisation, and our want of faith in the sufficiency of the Land Act to protect the smaller tenants, it became necessary for us to consider what we should supply in its place, and I considered that the only effective form of pressure that was open to us was in the issue of this No Rent Manifesto. The Manifesto resulted in all the tenants who could pay getting a very large and substantial reduction throughout that winter. It resulted in bringing about settlements most extensively between the landlords and the tenants. That, of course, was an indirect result of the No Rent Manifesto.

58,717. I will call your attention to some statements which have been made as to what you did while you were in Kilmainham. This is on pages 2039 and 2040. Is it true that immediately or at any time after your arrest, you in a letter sent out from Kilmainham to Egan, instigated him to apply to the Fenian leaders?—It is quite untrue.

58,718. Is it true that while you were in Kilmainham you constantly corresponded with Mr. Egan?—No; I wrote him very few letters; I think not more than one or two at the outside, if so many.

58,719. Is it true that while you were in Kilmainham you were visited by a man called Eugene Davis, disguised as a priest?—No, it is quite untrue. I never met Mr. Eugene Davis until last autumn, when I asked him to come over to London to give me some information about these forged letters. I had heard of his interview with Pigott at Lausanne in the end of 1885.

58,720. Did he or anyone else deliver to you a letter from Egan requesting your authority for the payment to the representatives of the Cian-na-Gael of 20,000*l.* to be used in procuring the removal of Government officials and other obnoxious persons?—I never received such a communication from Mr. Egan nor from anybody else.

58,721. Is it true that you gave him (Egan) or anybody else, a few lines authorising the payment by Egan of such a sum, or of any sum?—No; I never wrote any such letter to anybody.

58,722. Is it true that you used to be consulted and your sanction asked and given, either by letter or messenger, when outrage and assassination was projected?—It is quite untrue. No such communication was ever made to me, or suggestion by anybody.

58,723. Did you ever at any time, or in any way, directly, or indirectly, while you were President of the Land League, sanction or ratify the commission of outrage?—Never.

58,724. Or at any time since?—Or at any time since.

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58,725. Or before?—Or before.

58,726. During the time that you were president of the Land League—I am speaking of that first—did you ever sanction the payment of any sum of money, small or great, to persons engaged, or to be engaged, in the commission of outrage?—I never did.

58,727. Did you ever know of any such payment being about to be made, or having been made, from the funds of the Land League?—I never knew of any such payment, and I never heard of any such payment having been made.

58,728. Is it true that you approved of a suggestion of Egan's that Lord Cowper, Mr. Forster, Mr. Burke, and Judges Lawson and May, as well as some jurors, who convicted agrarian murderers, should be removed?—No, it is quite untrue. I never heard of such proposals.

58,729. Is it true that, so far as you know, that instructions were given to that effect to Tynan?—No, I know nothing about any such instructions.

58,730. Is it true that you sent a message, approving of these instructions, by Sheridan?—It is quite untrue.

58,731. Did you ever hear while you were a prisoner in Kilmainham, directly or indirectly, of the formation of what is called the Invincible conspiracy?—No, I never heard of that conspiracy until the trials—until after the arrests of the Invincibles.

58,732. You refer to the trials of 1883?—Yes.

58,733. The Phoenix Park murders?—Yes.

58,734. Until Kelly and the other informers gave their evidence in connexion with those trials had you ever heard of the existence of any such body? Never, until that evidence was given.

58,735. Under that name, or any other name?—Under that name or any other name.

58,736. Shortly after you were in prison, while you were in prison did you take steps to have a Land Bill drafted for the purpose of dealing with the question of arrears, and the other defects, as you thought them, of the Land Act?—Yes.

58,737. Whom did you summon to your assistance?—I asked permission that I might have a private interview with Mr. Maurice Healy, now a Member of Parliament.

58,738. Brother of Mr. Timothy Healy, I believe?—Yes.

58,739. And a solicitor in the South of Ireland?—Yes, and I had several long interviews.

58,740. And now your colleague in the representation of the City of Cork?—Yes, I had several long interviews with him, and I gave him the necessary instructions for the drafting of the new Land Bill, containing an arrears clause, which was afterwards passed into Law; and provisions for the admission of the leaseholders, which afterwards became law in 1887, and provisions for dating the date of the judicial rent from the date of the application instead of from the date of the decision, which made the Act to some extent retrospective, which provision has also since become law in 1887, and also provisions that there should be a temporary rent by the standard of the Poor Law valuation pending the fixing of the fair rent, and, lastly, provisions for amending the Healy clauses owing to the judgment in *Adams v Dunseaton* in respect of the Improvement Clauses of the Land Act of 1881, and advancing the whole of the purchase money, which has also since been done.

58,741. Is that the Bill [*handing same to witness*]?—Yes, that is Mr. Redmond's Bill.

58,742. I see your name is on the back. That was introduced, as appears on the back of the Bill, on the 9th of February 1882?—Yes, that is the Bill. [*The Bill was put in.*]

58,743. While you were still in Kilmainham did you in April 1882 hear of the death of your nephew in Paris?—Yes, I applied by telegraph to Mr. Forster for permission to go over and attend the funeral.

58,744. And did he give you permission, subject to certain provisions?—Yes, he gave me permission through Captain Barlow, the Superintendent of Prisons, late the same night, and I left by the early train the next morning.

58,745. That, I believe, was the 10th of April 1882?—Yes.

58,746. Did you travel to Willesden Junction?—Yes.

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58,747. Whom did you meet there?—I met there Mr. Justin McCarthy, Mr. O'Donnell, Mr. Quinn, and Mr. Frank Byrne.

58,748. Who was Mr. Frank Byrne?—Mr. Frank Byrne was the general secretary of the Land League Organisation of Great Britain.

58,749. Had you known him previously to this?—I had met him occasionally for a number of years as secretary for the Home Rule Confederation, and subsequently as secretary of the Land League, but I had never seen very much of him. I always had a very good opinion of him from what I saw of him.

58,750. You thought him a respectable man?—Oh, yes, very respectable.

58,751. Did you know that he had been a Fenian?—I never knew that he had been a Fenian.

58,752. Did any of these gentlemen—I am obliged to put to you the question—did any of these persons whom you met at Willesden Junction on this occasion inform you or hint to you that there was on foot a plan for the assassination of any of the Irish officials?—No, there was no such suggestion or information conveyed or made to me at all. We talked about prison treatment and things of that kind.

58,758. Did you tell them that you must avoid a demonstration which they had prepared for you at Euston Square?—Yes, they told me that a demonstration was there, and I told them at once that I could not take part in any demonstration, and it was at once arranged that we should leave the train, and catch another train to Camden Town, which it was thought would enable me to get the Paris evening train on.

58,754. I believe, as a matter of fact, you missed the train to Paris?—Yes, the Camden Town train was late, and just made me late for the Paris one.

58,755. The consequence was you spent the night in London?—Yes.

58,756. Where?—I spent it at some friends.

58,757. Was it at the house of Mr. Justin McCarthy?—No, it was not. I saw Mr. Justin McCarthy.

58,758. Did you see Mr. Justin McCarthy, and have a conversation with him that evening?—I saw Mr. Justin McCarthy, and had a conversation with him about the affairs of Ireland and the situation of the tenants. I told him that the tenants all of them who could pay their rents had done so, and obtained good reductions, and that there only remained those who could not pay—the smaller tenants in arrears. That the “No Rent” manifesto had been practically withdrawn, as when the Land Bill was drafted it had been withdrawn from circulation, and no further attempts made to get the tenants to refuse to pay their rents, and that now the thing to be done was to press Parliament for some legislation to assist these small tenants, some 100,000 in number I supposed, who were unable to pay their rents, and who were threatened with evictions. I told him that if these tenants were evicted on any large scale the result would be great increase of crime and terrible suffering, and that I had every reason to believe that the state of the country, and the crime in the country, was entirely due to the inability of those small and poor tenants to pay their rents, and that in self protection they were going about, or their sons were going about, banding themselves together to intimidate the larger tenants from paying, or that they had been doing so, and that an Arrears Act would have an immense effect in producing tranquility, and restoring peace to the country.

58,759. Did you next day see Captain O'Shea?—Yes, I saw O'Shea.

58,760. At Albert Mansions?—I saw O'Shea the next day on my way to Paris, and I told him the same thing that I told Mr. McCarthy, just the same thing.

58,761. At this interview with O'Shea at Albert Mansions before you left for Paris was there any conversation between you about the release of the suspects or about your own release?—Not before I left for Paris. That was subsequently at Eltham on my return from Paris that that conversation took place.

58,762. Did you then on the same day go to Paris?—Yes, I left that evening.

58,763. You remained there how long?—I suppose I remained there about ten days or so, perhaps under ten days.

58,764. While you were in Paris did you see or communicate with Mr. Egan?—No, I did not have any communication whatever with Mr. Egan, either directly or indirectly. I considered that I was precluded by my parole from communicating with the treasurer of the Land League. The only political personage that I communicated with was Mr. Sexton. I did not suppose that Mr. Forster would interpret the conditions of the parole as precluding me from talking to Mr. Sexton about Mr. Redmond's

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Land Bill, which was the subject of our conversation, and also the information which I had previously given to Mr. McCarthy and to Mr. O'Shea.

58,765. Is it true that at this time you went to Paris, you had an interview with Egan, and urged him to stir up Tynan and his men?—Oh, not at all, no.

58,766. Or anything to that effect?—No.

58,767. Did you declare to him that it was discouraging and injurious to the cause that all the British officials who were concerned in the prosecution and in the imprisonment of leaders should escape "scot free," especially Forster (page 3040)?—Absolutely untrue.

58,768. While you were in Paris, did you write to Captain O'Shea that letter of the 16th April which has been put in at page 378?—Yes.

58,769. Then on your return to London, did you go and see Captain O'Shea at Eltham?—Yes. It was then that the reference as to the release of the suspects took place. Captain O'Shea was expressing his hopes to me that what was going on would lead to my release, and that of my fellow suspects. I stopped him at once and told him that I could not allow any question of the release of myself or any of the suspects to enter into this matter. I had more than one reason for doing so; but the reason I gave him was (and it was one of the reasons) that I feared that if we were released—if a great measure of release took place—that it would be so much criticised by the Tories, that the passage of the Arrears Act might be endangered in the House of Lords.

58,770. Did Captain O'Shea at that time show you the memorandum in Mr. Chamberlain's handwriting?—I told Mr. O'Shea it would be better to leave us suspects where we were until the expiry of the Act, and then let us out quietly without any demonstration.

58,771. I was asking you of the memorandum in Mr. Chamberlain's handwriting?—Yes, I had one interview with him at Eltham, and then Mr. O'Shea went up to London and returned and showed me a memorandum which he said Mr. Chamberlain had drafted.

58,772. Is that the one. I think we had better have it?—I do not think I have seen it—I have no doubt it is the one.

58,773. It was put in by Captain O'Shea. It is printed at page 380?—He said it represented Mr. Chamberlain's ideas as to what might be done by both sides.

58,774. Was anything said between you and O'Shea at this time about keeping Brennan or anybody else in prison after the others were released?—Certainly not. The only reference to the release of any suspects was that which I have already given you, and if O'Shea advised Chamberlain that Brennan ought not to be released, he did it on his own judgment, and on his own responsibility—spontaneously, and not at my request or directions. O'Shea had asked me whether I thought that any of my colleagues might be adverse to accepting the Arrears Act and wish to persevere with the No-rent movement, and I mentioned the names of Mr. Egan, and Mr. Dillon, and Mr. Brennan, and Mr. Sheridan, and Mr. Boyton, and Mr. Davitt as being those who might be called the advance wing of the Land League, who had more advanced ideas than I had upon the land question, and who would probably be averse or might perhaps be less ready than others or than I myself to accept this Arrears Act.

58,775. Did you say anything about seeing these gentlemen?—I may have mentioned Mr. Brennan as likely to be particularly averse—more averse than any of the other four or five.

58,776. Was he one of the advanced party?—He was one of the Land Nationalisation party of the Land League who did not, and do not, I believe, agree in peasant proprietary or occupying ownership. That is the party I call the advanced party of the Land League.

58,777. Did you say anything as to your desire to see any members of the Executive who were not then in the country?—Yes; I mentioned those who were situated like Mr. Davitt, who was imprisoned in Portland, not under the Suspension Act; and I mentioned Mr. Boyton, who had been released on condition that he left the country and went abroad; and I mentioned Mr. Egan, who had to remain abroad on account of the warrant that was supposed to be out against him under the Suspension Act; and I mentioned Mr. Sheridan, who also had to remain abroad for a similar reason, as belonging to the advanced section of the Land League; and that I should like to consult with these gentlemen immediately; I should like them to be given permission

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to return to the country so that I might see them as soon as possible, lest they should form any impression that I had been acting in this matter behind their backs.

58,778. Did you know, or believe, or suspect that either Boyton or Sheridan had been engaged in the organisation and carrying out of crime?—No; I have not the slightest suspicion of anything of the kind.

58,779. Is there any truth in the suggestion that you wanted to see them and to have them back because they had been so engaged?—Not the slightest.

58,780. Was there any conversation between you and O'Shea about putting a stop to outrages or boycotting?—There was a paragraph in Mr. Chamberlain's memorandum. I should like to have that memorandum before me, or a copy of it will do. [*Page 380 was handed to the witness.*] There were two references in this memorandum, one that I would advise all tenants to pay rent and that I would denounce outrages and resistance to land and all process of intimidation whether by boycotting or in any other way. I pointed out to Mr. O'Shea, with reference to the first of those provisions, that it would be absurd for me to undertake to advise all tenants to pay rent since I was claiming in my argument as to the necessity for the Arrears Act, that all the tenants had paid who were able to pay, and that it was only those who were unable to pay that were still in arrears. But I said in reference to that matter that what I would do, would be to advise the tenants to pay the year's rent, incident to the Arrears Act. It was required that there should be a year's rent paid by the tenants. I said that I would advise them to pay that year's rent. I also said that the No Rent Manifesto had been withdrawn already—practically withdrawn; that it had ceased to be circulated for several months previously. That was in reference to a suggestion of his that the No Rent Manifesto should be withdrawn, which of course was comprised in the requirement that I should advise all tenants to pay rent.

58,781. Then as to the point of denouncing outrages and resistance to law?—As to the point about denouncing outrages and resistance to law, I said that it looked very much like a bargain, that I did not like the way in which that part of it was put, that it looked very much like a bargain; but that of course I should denounce outrages, as I had always denounced them, and that I would denounce boycotting where it involved intimidation.

58,782. Had you any special reason for desiring Sheridan, as distinguished from these other persons, to come to the country and assist you in the matter?—Not the slightest, except his knowledge of the west of Ireland amongst the smaller tenants who were chiefly concerned with the Arrears Act.

58,783. Was anything further said between you and O'Shea on that occasion with reference to the arrangement? Did he give you any reason why Mr. Chamberlain had insisted upon the insertion of that passage in the memorandum?—Mr. O'Shea said after my explanation he was sure the matter could be satisfactorily arranged, and that Mr. Chamberlain would not insist upon these two points.

58,784. With reference to Boyton, was any special reason given for your desire to see Boyton in the country as distinguished from the others?—Not at all. He was only mentioned as one of these men who had taken a leading part in the agitation, and as one of the organisers.

58,785. Is it true that you asked that Mr. Davitt's release should be deferred?—No, that is quite a mistake. This refers to the subsequent interview now in Kilmainham.

58,786. Yes; when O'Shea came to see you there?—Yes. That is quite a mistake. No, I think it refers to the period after my release from Kilmainham. There was no reason why I should not have gone down immediately to have seen Mr. Davitt. His release was not deferred at my request. It was deferred for reasons known to the Government, not to me. I was anxious to see Mr. Davitt prior to his release in order that I might persuade him to accept his ticket of leave. There was an apprehension in our minds that he might not be willing to accept this ticket of leave, and that he would have refused to come out; but I did not desire to talk in reference to politics with Mr. Davitt until he was released, and I did not do so.

58,787. Did you say at any time to O'Shea (question 327) that you would communicate and have special communication with somebody with reference to Sheridan?—No, that is quite a mistake, if it is not an invention.

58,788. I think it was on the 2nd May you were released from Kilmainham?—Yes.

58,789. And returned to London?—Yes.

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58,790. Did you on the 5th May write that letter to Mr. Davitt [*handing letter to witness*]?—Yes.

58,791. Before reading that I ought to ask you this, the question of your release and the circumstances under which it had taken place was the subject of debate in the House of Commons?—Yes.

58,792. Do you remember Mr. Forster in the course of the debate saying that you had proposed to get Sheridan back, and the same agency which had been used to get up the conspiracy would be employed in setting it down?—Yes, I was present in the House of Commons when Mr. Forster said that.

58,793. Did you contradict that?—At once.

58,794. Did Mr. O'Shea contradict it?—He did at once. He corroborated my account of the interview at Kilmainham.

58,795. And he also wrote a letter, which I think has been put in, to the "Freeman's Journal" about the same date?—Yes.

(*The President.*) Who?

58,796. (*Mr. Asquith.*) O'Shea. It has been printed?—I spoke immediately after Mr. Forster. I should like to put in that speech also.

(*Mr. Asquith.*) This is the letter which Mr. Parnell says he wrote to Mr. Davitt:

" House of Commons Library,
London, May 5/82.

" MY DEAR SIR,
" Dillon and I propose going down to meet you at Portland Prison to-morrow
" on your liberation, and to accompany you to London.
" We were ourselves released from Kilmainham only on Tuesday last; the
" entire policy of the Government having been reversed, Mr. Forster having
" resigned and further legislation on the land question promised. We shall arrive
" at Portland about two o'clock.

" Yours very truly,
" CHAS. S. PARNELL."

The reference to the debate which contains the statements made at the time by Mr. Parnell, by Captain O'Shea, and by Mr. Forster, is the 16th May 1882. I think the material passages have been read by Sir Charles Russell in his speech before your Lordships.

(*The Witness.*) I do not think my speech has been read.

(*Mr. Asquith.*) No, I do not think yours has, but Captain O'Shea's has been. I will look it up and read it as soon as it is found.

58,797. Did you go down to Portland with Mr. Dillon to see Mr. Davitt?—Yes, with Mr. Dillon and Mr. O'Kelly.

58,798. What was the date of that?—That was the day before the murders in the Phoenix Park.

58,799. The day of the murders?—Or the day of the murders in the Phoenix Park—Saturday.

58,800. Saturday, the 6th of May?—Yes.

58,801. Did you see Mr. Davitt at the prison?—Yes. We persuaded him to accept his ticket-of-leave.

58,802. And he was then released?—He was released and we talked to him about politics on the way up in the train.

58,803. When you returned with Mr. Davitt on that evening, did you go back home, the place where you were then living near London?—Yes.

58,804. Did you hear that evening at all of the Phoenix Park murders?—The evening of the day of the murders—no, not till the next morning.

58,805. That would be the Sunday morning?—Yes.

58,806. How did you hear of it?—I heard of it through the "Observer" newspaper. I read it in the "Observer."

58,807. Did you thereupon after hearing of it go to the Westminster Palace Hotel?—Yes.

58,808. Whom did you find there?—I found there Mr. Davitt, and Mr. Justin McCarthy, Mr. Dillon, and young Mr. Justin McCarthy, Mr. Justin McCarthy, junior.

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[Continued.]

58,809. Did you find them all together?—They were talking over the matter in the hall of the hotel.

58,810. In what state of mind did you find them?—They were in a great state of alarm and indignation, very much horror-struck by the occurrence.

58,811. Did you consult with them as to what should be done?—Yes; they told me they had already prepared a manifesto for the denunciation of the crime, and suggested that I should sign it in company with Mr. Dillon and Mr. Davitt, which we did.

58,812. Is it true that you objected to the manifesto—to signing it?—No, I did not object to the manifesto in any way.

58,813. Did you criticise its wording or its bombastic character?—No.

58,814. After signing the manifesto which has been put in, did you go and see anybody?—Yes; first of all I went to see Sir Charles Dilke, then I went to see Mr. Chamberlain, with Mr. Justin McCarthy in each case.

58,815. Did you express to them, Sir Charles Dilke and Mr. Chamberlain, your view of the murder?—I expressed my great horror and asked them whether anything could be done in addition to what we had done.

58,816. Did you regard these murders or did you not as a blow to your own policy?—I regarded them as the greatest possible calamity that could have befallen Ireland and the future of our movement at that time or any other time.

58,817. Before you read of these murders in the newspaper on the Sunday morning had you any knowledge, or belief, or suspicion that anything of the kind was being contemplated or was likely to take place?—Not the slightest. Not the slightest, and I knew not in what direction to look for their origin.

58,818. It is stated that you subsequently told a reporter—I think of one of the French newspapers—that you did not think that the murders proceeded from the Fenian organisation; is that true?—Well, I have no distinct recollection of that matter. Do you refer to an interview with a reporter of a French newspaper?

58,819. A reporter of “La France,” I think, was the name. You have not a clear recollection about it?—I have no recollection; not a clear recollection; I have some recollection.

58,820. Did you in fact believe that the murders proceeded from the Fenian organisation?—I did not. I believed that they were of American origin. I was disposed to think so.

58,821. Had you ever known or read of the Fenian organisation undertaking any such enterprise?—No, I never have.

58,822. Did you then or at any time afterwards learn anything which led you to believe that these murders or the conspiracy that wrought the murders was in any way connected with the Land League?—No, never. I have never been able to obtain the slightest evidence by any means in my power that anybody connected with the Land League had anything to do with these murders, except the statements that were made at the trials by the informer Carey, and I think his statement with regard to the Land League was of a very slight character; that it was mere matter of gossip or suggestion amongst themselves, but that they had no information.

58,823. Did you ever at any time after the murders by word of mouth or by letter, directly or indirectly, to Patrick Egan or to any other person, express condonation or approval of the murder either of Lord Frederick Cavendish or of Mr. Bourke?—I never did.

58,824. Is it true that at this time, after you had heard of the murders, you spoke to Mr. O’Shea or to anybody else of the danger in which you yourself were?—No, I never apprehended the slightest danger to myself. Such a thing never entered into my mind for a single moment.

58,825. Did you say you were in personal danger and ask him to get police protection for you?—I neither said it nor believed it. I never asked for any police protection.

58,826. So far as you know, did you ever have any police protection?—I am quite sure that I never did. O’Shea’s house at Eltham was watched by one or two of the police belonging to the village, and his rooms in Albert Mansions were also watched by policemen. I saw them there.

58,827. Was that at your instance?—No, it was not at my instance, and he did not tell me that he had got it done; but I suspect that he got it done. But they never

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[Continued.]

watched, followed, or protected me in any way. They could not have followed or watched me without my knowledge. It was utterly impossible.

58,828. Is it true that when your manifesto against the murders was issued that Egan wrote indignantly to you protesting against your action as treason to Ireland's cause?—No; Egan never made any such communication to me.

58,829. Or threatening to resign his position as treasurer of the League?—No.

58,830. Is it true that you wrote to him?—No.

58,831. That your denunciation (that is the manifesto) had been forced from you by considerations of policy that could not be ignored?—Oh, no.

(*The President.*) What page are you reading from?

(*Mr. Asquith.*) 3041.

58,832. Or that you wrote to anybody saying that for yourself you could say while you regretted the accident by which Lord Frederick Cavendish was removed, you were free to admit that Burke got no more than his deserts?—No, that is quite untrue.

58,833. So far as you know, is it true that Egan furnished to the men engaged in the Invincible conspiracy either during the conspiracy or afterwards money from the Land League funds?—So far as I know it is not true. There is no foundation for such a statement.

58,834. Or that anybody else did?—Or that anybody else connected with us did.

58,835. (*The President.*) Connected with what?—Connected with the Land League organisation.

58,836. (*Mr. Asquith.*) Do you know of anybody having provided them with funds?—I do not. I never heard who provided them with funds.

58,837. Did you at the time when the House of Commons met on Monday the 8th May address the House on the subject of the murders?—Yes; I expressed my great horror at the crime, and trusted that it would not be laid to the fault of Ireland.

58,838. Was that speech a sincere expression of the feeling you had at the time?—It was, perfectly sincere.

(*Mr. Asquith.*) I do not know, my Lord, whether that speech has been already read.

(*The President.*) I think it has. That is my impression.

58,839. (*Mr. Asquith.*) Sir Charles Russell read it, I think. The reference is to "Hansard," vol. 269, page 323. I will come back to that speech as soon as I can find it. After the murders, did the Government bring in what was called the Crimes Act of 1882?—They brought in first of all the Crimes Act, and a few days afterwards the Arrears Act.

58,840. Did the Arrears Act substantially embody the arrears provisions of Mr. Redmond's Bill?—Yes, almost a copy. It was very much enlarged afterwards. There were a great many provisions put into it afterwards.

58,841. It authorised an advance from the Irish Church surplus of a third of the rent, the tenant paying another third, and the landlord losing the remaining third?—Yes.

58,842. That was its substance and effect?—Yes.

(*Mr. Asquith.*) It is 45 & 46 Victoria, chapter 47.

58,843. About what sum in arrears of rent was cancelled by the operation of that Act?—I should think about two millions of pounds sterling wiped out.

(*Mr. Asquith.*) I have here, my Lord, the Parliamentary Return (it may be a convenient place for putting it in) which gives a summary of the operations under it, and shows that 767,000*l.* was advanced out of the Church Fund for the purpose. That multiplied by three would give about two millions. It is the Parliamentary Return, 1884.

58,844. After the passing of the Arrears Act did you go to Ireland?—Yes.

58,845. Did you find when you went to Ireland the Ladies' Land League in existence and carrying on its operations there?—Yes, they were the only organisation for the protection of the tenants from the time of my arrest up till that date.

58,846. Did you consider it advisable to wind up the Ladies' Land League and to start a new organisation?—Yes, I asked them to dissolve, and they agreed to do so, provided I would discharge their outstanding obligations—payments they had promised to make for various purposes, through the country, such as aid to evicted tenants, payments for the defence of prisoners, and so forth. I went over roughly their list of liabilities, and cut them down.

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[Continued.]

58,847. You said payments for defence of prisoners. Was any part of their expenditure in relation to the sustentation of prisoners?—Yes, the sustentation of the suspects.

58,848. Persons arrested under Mr. Forster's Act, and not brought to trial?—Yes, that Act had not expired, and there were a good many prisoners still in prison.

58,849. I think it did not expire till the following September?—No.

58,850. You were saying you got an estimate from them of these liabilities?—Yes, roughly as to the nature of their liabilities. Of course, it was impossible for me to go into detail. I cut them down a good deal, and agreed to discharge the rest of their liabilities.

58,851. Where did you get the funds by means of which you met these liabilities?—I got them from Mr. Egan.

58,852. Was he still in Paris?—He was still in Paris. I opened an account in my own name, and that of Mr. Arthur O'Connor and Mr. John Dillon, at the Sackville Street branch of the Hibernian Bank.

58,853. In Dublin?—Yes.

58,854. (*The President.*) Do you mean that he sent a cheque?—He credited my account with amounts from time to time as I wrote to him for them. He sent the drafts from Paris.

58,855. (*Mr. Asquith.*) How did the money come? In what form; from Egan, from Paris to Dublin?—I suppose that he remitted directly to the bank, to my credit.

58,856. To the credit of this account opened in your name and the names of Dillon and O'Connor?—Yes.

58,857. Then you drew upon it?—I drew upon it.

58,858. Did you from time to time make payments from that account in discharge of these liabilities of the Ladies Land League?—Yes; the ladies retained some of their clerks and kept their books the same as usual, and I used to attend at their office and sign the cheques. This was only an *ad interim* arrangement. I was anxious all the payments of money should be under my own control while the Arrears Act was coming into operation, and it was an *ad interim* arrangement adopted until the formation of the Mansion House Committee.

58,859. How long did it last? How long did you act as paymaster for the ladies?—I should think to any large extent for about a month or six weeks.

58,860. Would that be about July to August 1882?—I fancy September 'and the latter end of August perhaps. Then some payments had to be made occasionally up till nearly the end of the year—a few outstanding accounts that came in from time to time.

58,861. Now, did you then form this new organisation, which you mentioned just now, called the Mansion House Committee?—The Mansion House Committee for the relief of evicted tenants. I wanted an organised body to work the Arrears Act and to look after those evicted tenants who were outside the Arrears Act and could not come in owing to the period of their redemption having expired.

58,862. Was that the business of the Mansion House Committee?—That was the business of the Mansion House Committee.

58,863. About how many cases, roughly speaking, did they deal with?—They put about 5,000 tenants through the provisions of the Arrears Act altogether.

58,864. What class of tenants would these be?—Those would be very small tenants who were not able to pay a solicitor to make the application for them.

58,865. About this time did you again see Mr. Egan, in the autumn of 1882?—I saw Mr. Egan in the autumn, yes.

58,866. Did he make a communication to you as to the state of his business?—He told me that his business had been ruined, owing to his enforced absence for 20 months from Ireland, and owing to the arrest of his only partner.

58,867. Who was his partner?—Mr. Rourke; and that it was insufficient for them both, and that he contemplated making arrangements with his partner and himself going to America to try his fortune in the New World.

58,868. He did proceed to America, I believe?—Later on.

58,869. In the spring of 1883?—Yes.

58,870. And has since carried on business there?—Yes.

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58,871. In the same autumn (1882) did you form the National League of Ireland?—Yes.

58,872. The present organisation?—Yes.

(Mr. Asquith.) Your Lordships will find the documents I am going formally to prove on page 3741.

58,873. The letter convening the conference before the formation of the National League is dated the 18th of September 1882. I see that it is signed by yourself, Mr. Davitt, Mr. Dillon, Mr. Brennan, Mr. Sexton, Mr. Healy, and Mr. Arthur O'Connor?—Yes.

58,874. Then in pursuance of that, was what is called a National Conference held in Dublin on the 17th of October 1882?—Yes; the National League was founded.

58,875. Is *this* the constitution of the National League so founded [*passing the document*]?—Yes, that is the constitution.

(Mr. Asquith.) That is printed at page 3741 under the heading “The Programme of the National League.” I believe this is the original book with the alterations in your handwriting [*passing same to witness*.]

(The President.) Alterations of what.

58,876. (Mr. Asquith.) The draft of this Constitution amended and settled in Mr. Parnell’s handwriting?—Yes, this is the draft.

(Mr. Asquith.) Your Lordships, I have no doubt, will be content with the print.

(The President.) Yes. I thought it might mean alterations from the National Land League.

(Mr. Asquith.) No, the National League, which was the new organisation.

58,877. That, I believe, is the first minute book of the National League [*passing the same*]?—Yes.

58,878. Did you also at the same time, or immediately afterwards, issue the address of the Irish National League to the people of Ireland. Your Lordships will find that at page 3745. Was that address issued to the people of Ireland?—The address was issued.

58,879. You will recognise it if you see it [*it was shown to the witness*]?—Yes.

58,880. Then there were the rules of the branches. They are printed on page 3744?—Yes, these are the rules.

58,881. How is the central body of the National League managed?—It is managed by an organised committee, of which I am chairman.

58,882. And who are and have been from the beginning the principal officers of the National League?—Mr. Harrington has been the secretary.

58,883. Mr. Timothy Harrington?—Mr. Timothy Harrington has been the secretary. Mr. Biggar has been the treasurer, and Dr. Kenny another treasurer.

58,884. And you yourself the chairman?—Yes.

58,885. Now after the formation of the National League, did you receive a communication from Mr. Brennan as to his affairs?—Yes, not from Mr. Brennan directly. Mr. Egan told me about Mr. Brennan.

58,886. What was the subject of the communication?—Merely to say that Mr. Brennan having lost his place, intended to proceed to America, and asking me to give him a commission to visit Australia.

58,887. Did you do so?—I did not on behalf of the National League. I thought it better to send a Member of Parliament.

58,888. Whom did you send?—Mr. Redmond.

58,889. Mr. John Redmond?—Yes.

58,890. Shortly after this, did Mr. Brennan go to America?—He went abroad on to the Continent for some time, and then went to America.

58,891. Can you give us approximately the date when he left Dublin?—It was towards the end of the year 1882 that he left Dublin and went on to the Continent for his health, but I do not know the exact time he left for America.

58,892. Have you ever seen him since?—No.

58,893. So far as you knew at that time, or have learned since, have you any reason to believe that either Egan or Brennan were connected with the Invincible conspiracy, or the Phoenix Park murders?—Not the slightest reason to believe it.

58,894. At the same time, about the end of the year 1882, was a subscription raised for a testimonial to yourself?—Yes, a mortgage on my estate was foreclosed, and I filed

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[Continued.]

a petition for its sale. This fact somehow or other got into the newspapers, and the Irish people raised a collection for me to pay off the mortgage. The amount of the collection considerably exceeded the amount necessary.

58,895. Did you towards the end of December 1882 (fix the date if you can) receive a letter from Frank Byrne?—Towards the end of 1882 I received a letter from Mr. Frank Byrne asking me ——

(*The Attorney-General.*) Where is the letter?

58,896. (*Mr. Asquith.*) Where is the letter?—I gave it to Mr. Lewis.

58,897. (*The Attorney-General.*) Let us have the document, please?—No, it was the subsequent letter.

58,898. (*Mr. Asquith.*) The letter shall be produced to-morrow. I do not know whether your Lordships will go on for a moment with a copy?—There were two letters.

(*The President.*) I have no objection, of course.

(*The Attorney-General.*) So long as I have the letter itself I am content. You can hand me a copy.

58,899. (*Mr. Asquith.*) This is the one which you have, and which you have disclosed, I believe, in your affidavit of documents?—Yes.

58,900. (*Mr. Asquith.*) Your Lordship will see it purports to be dated the 1st of January 1883. Your Lordships have the copy before you.

58,901. Mr. Parnell, you had better look at it. I do not suppose you carry it in your mind?—Yes, this is a copy of a letter that I received from Mr. Frank Byrne.

58,902. If you will look at the first words you will see that it refers to a previous letter having been written by him to you. Had you received a previous letter from him?—I had not, so far as I recollect.

58,903. You do not recollect having received a previous letter?—No.

58,904. Have you searched for it and been unable to find it?—I have not been able to find any other letter at that time or, indeed, any other letter from Byrne. That is under date of the 6th January 1883.

58,905. I thought it was the 1st of January.

(*The President.*) No date is put to it here.

(*Mr. Asquith.*) I think it is the 1st of January.

(*The President.*) Yes, I see it is stated; but I see there is no date to the letter.

(*Mr. Asquith.*) In this letter Byrne says: "I wrote to you about a fortnight since, asking an advance from the Irish National League of 100*l.*, for the purposes of our organisation. This letter, Mr. McSweeney tells me, you have not received, and, as the matter is pressing, I now beg to bring it under your notice," and so forth. Had you, previous to this, as representing the Irish branch of the National League, received applications from the British branch for advances or gifts of money?

(*The Attorney-General.*) I only want to correct a mistake. This letter was not disclosed in the affidavit of documents; therefore, I would rather have the original.

(*Mr. Asquith.*) It is disclosed.

(*The Attorney-General.*) No, it is the letter of 6th January 1882.

(*The President.*) That is what they say this letter is. There is no date given to the letter. It is stated to have been of the 1st of January.

58,906. (*Mr. Asquith.*) Have you any other letter of Frank Byrne's?—No. The letter was dated 1882 by mistake for 1883, being at the beginning of a new year.

58,907. Yes, as we know. It is so with another of his letters about the same time?—That is the letter which was disclosed.

58,908. This is the one, of course?—Yes.

58,909. I was asking you had you on any of these occasions before this received any application from the British Land League for advances or gifts of money?—I had not myself personally, because I had been in Kilmainham all the time, or most of the time, during which some of the advances were made. I presume that previously the applications would have been made direct to the Land League.

58,910. Did you in consequence or upon receiving that letter write to the honorary secretaries of the Irish National League, Dublin, this letter, or cause it to be written [*passing one*]?—Yes.

58,911. It is signed by you, is it not?—Yes.

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[Continued.]

(*Mr. Asquith.*) This is headed “Irish Parliamentary Offices, 9 Bridge Street, Westminster, January 9, 1883. The Hon. Secretaries, Irish National League, Dublin. Gentlemen, I have been requested by the Executive of the National Land and Labour League of Great Britain to apply to you for an advance to them for the sum of 100*l.*, to enable them to pay some current expenses pending their reorganisation on the lines of the Irish National League.”

(*The President.*) You need not read it unless you have some special object. It is already printed.

(*Mr. Asquith.*) It is printed already. That is put in.

58,912. This is a letter of January 23rd 1883, beginning “Dear Mr. Harrington,” and signed “Charles S. Parnell”?—Yes, I wrote that letter.

(*Mr. Asquith.*) I do not know whether that is all printed.

(*The President.*) I do not know that the whole of it is printed.

58,913. (*Mr. Asquith.*) Yes, all except the signature at the end on page 3868. The only thing that is omitted are the words “Yours very truly, Charles S. Parnell” at the end, and “T. Harrington, Esquire” underneath. Had you received prior to the writing of that letter of the 23rd January a cheque for 100*l.* from Dublin?—From Mr. Alfred Webb. I recollect it now.

58,914. Was Mr. Alfred Webb the Treasurer or one of the Treasurers of the Irish National League?—He was.

58,915. And is still?—Yes.

58,916. And did you hand that cheque to anybody, and to whom?—I do not think Mr. Alfred Webb is still Treasurer.

58,917. I may be wrong?—Yes, I handed that cheque. I enclosed it as my recollection serves me in a letter to Mr. Frank Byrne which I handed to Mr. McSweeney who was in charge of the office and had been in charge for some weeks as Mr. Byrne’s *locum tenens* in consequence of the latter’s illness.

58,918. By the office you mean the office of the British Land League in Westminster?—Yes, quite so.

58,919. Now, Mr. Parnell, at the time when you handed this cheque to Mr. Byrne had you any knowledge or suspicion that Byrne had been implicated in any way in the Phoenix Park murders?—Not the slightest.

58,920. Or in any similar conspiracy?—No, not the slightest idea. He was the last man that I should have supposed would have been in any conspiracy, much less such a conspiracy.

58,921. Did you at any time advance or make a present to Mr. Byrne of any money out of your own pocket?—No, except some small sum a great many years ago, when he was ill; in 1875, I think, I made some small advance.

58,922. Is it true that you made the payment of 100*l.* to Frank Byrne for the purpose of enabling him to escape from justice?—No, certainly not.

58,923. Had you any idea that he intended to escape from justice?—Not the slightest.

58,924. Or that justice was after him in any shape or form?—Not the slightest. I had not the remotest notion of any such thing.

[Adjourned till to-morrow at 10.30.]

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
PROBATE COURT, No. 1,
Wednesday, 1st May 1889.

Mr. CHARLES STEWART PARNELL, M.P., recalled and further examined by Mr. ASQUITH.

58,925. (*Mr. Asquith.*) My Lords, I first of all put in a letter, from Frank Byrne to Mr. Parnell, of which we had yesterday only a copy.

58,926. Is that the original letter [*handing same to witness*]?—Yes, that is the original letter from Mr. Frank Byrne.

58,927. One moment; do you see in the corner there a date with some initials?—Yes, those are the initials of Mr. John Morley. I asked him to initial the letter as soon as I found it, and put the date.

58,928. Does the date there represent the date when you showed it to Mr. John Morley?—It does.

58,929. What is the date?—12—7—88.

58,930. The 12th July that will be, 1888?—Yes.

58,931. Did you then hand the letter to Mr. George Lewis?—Yes.

58,932. I believe, Mr. Parnell, you desire to make a slight correction in what you said yesterday about the names of the organisers?—It is rather in the nature of an addition.

58,933. It is Question 58,576?—Yes, I could not recollect all the names of the Land League organisers at the time, and I have since been able to recall these additional names—Mr. Lynam, the Rev. Harold Rylett, an Unitarian clergyman, Mr. Maurice Butterfield, and there were several others. I should think there would be a dozen altogether appointed at this time, whose names I do not recollect.

58,934. This is the letter of Timothy Horan to Mr. Quinn, dated the 20th of September 1881, and put in by the witness Davis [*handing same to witness*]. Before that letter was produced in these proceedings, had you ever seen it?—No, I had never seen or heard of it.

58,935. Had you ever heard of the transaction to which the letter relates?—No, it was quite a revelation to me when it was read in this case.

58,936. Did you sanction that payment to Timothy Horan?—Certainly not. I should on no account have sanctioned such a payment as that.

58,937. Were you present at the meeting of the Executive to which that letter appears to have been submitted?—No, I should think not. I have no recollection of having been present. I should probably think that the grant was made either just prior to, or just after, Mr. Arthur O'Connor had taken office, while the office was in a state of disorganisation.

58,938. That is after Mr. Sexton's illness?—After Mr. Sexton's illness. Yes.

58,939. Which happened about the month of September?—Yes.

58,940. You told us that Mr. Egan went to Paris early in February of 1881?—Early in February.

58,941. So far as you know, between February 1881 and October 1881, when you yourself were arrested, was Mr. Egan in Ireland?—So far as I know, except for a short interval. Just in the beginning of October or the end of September, Mr. Egan was not in Ireland after he left to go to Paris. On one occasion he came to London about the period of the second reading of the Land Bill, and on a later occasion he came to England, but did not go as far as Ireland. I met him at Bangor, in Wales, to consult with him about the affairs of the League. He did not go to Ireland until, I

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[Continued.]

think, after the Coercion Act had expired, and I think the Coercion Act expired either at the end or the beginning of September.

58,942. (*The President.*) You do not know this of your own knowledge?—That is my recollection of the actual facts. I have spoken to matters within my own knowledge. So far as I know, he did not go to Ireland on any other occasion, or so far as I have heard.

58,943. (*Mr. Asquith.*) Prior to your arrest in October 1881, had any arrangements been made by you and the executive of the League, as to what should be done if it were suppressed by the Government?—Yes; there was an understanding that whenever the central office or the League was so far suppressed as to render it impossible for the central office to continue working, that then the branches should be advised to dissolve.

58,944. Was that arrangement carried out?—That was carried out. After the proclamation of the Government suppressing the League was issued, the branches of the League were advised to dissolve throughout the country, and to hold no further meetings.

58,945. So far as you know, was that instruction carried out?—I believe it was strictly carried out. I know the branches obeyed it.

58,946. During the time of the Land League, in what parts of Ireland should you describe the branches as having been the strongest and richest?—The strongest and best branches were always in the richest and most prosperous parts of the country.

58,947. Take, for instance, the County of Mayo. Were the branches in the County of Mayo strong, or not?—The branches in the County of Mayo, according to the information I received at the time, almost universally ceased to exist during the year 1881.

58,948. What part of that year?—In the beginning of the year, and did not come into existence afterwards. I always heard that the physical force party had driven the League out of Mayo at that period.

58,949. Do you know what was the strength or weakness of the League at that time in the County of Kerry?—I have no information with reference to the County of Kerry, no definite or positive information, but I have never heard of the County of Kerry as either having been a strong Land League or National League County—rather the reverse—very much the reverse.

58,950. How as to Galway?—I think the Land League was fairly strong in Galway at all times.

58,951. And Cork?—And in Cork also; but we derived the great bulk of our resources from the richer counties in Ireland, where there was comparatively little disturbance or crime of any kind.

58,952. I wish to call your attention to one statement of the witness Le Caron at page 2496, when he says “That on his visit to Egan, in Paris, in the month of April 1881, the subject of auditing the accounts of the Land League came up between us, and Mr. Egan informed me those accounts had been audited by three members of the League, and that was all the audit that they would get.” At that time, that is in April 1881, had the accounts been audited by three members of the League?—No, they had not been audited at all at that time.

58,953. Were they audited by three members of the League at any time?—The audit took place subsequently by the three members of the League—Mr. Dillon, Mr. Harris, and Father Sheehy.

58,954. About what date was that?—In the autumn of 1882—that is to say, the audit of Mr. Egan’s accounts.

58,955. Up to that date there had been no such audit?—No such audit. No audit of any kind except the commencement of the audit which I referred to in 1880, and which was not completed.

58,956. With reference to the circulation of the “Irish World.” As far as you know was any part of the Land League fund at any time expended in the purchase of or the circulation of that newspaper?—So far as I know, not. I should not have permitted it if I had known it. The “Irish World” had a special fund of its own for the purpose of circulating itself, called the “Spread the Light” fund, and that fund was amply sufficient for the purpose.

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[Continued.]

58,957. Were you aware that copies of the "Irish World" were distributed from the central or local offices then?—I was not.

58,958. We have heard of an agent or correspondent of the "Irish World" called O'Neill Larkin?—Yes.

58,959. Do you know anything of him?—Yes, I heard of him at that time. I knew he was an agent of the "Irish World" in Ireland at that time, and that he criticised us Parliamentarians in a strong and unfriendly fashion. On one occasion he publicly criticised us in that fashion, and used very opprobrious words towards us publicly, but I believe he used to have the parcels of the "Irish World" directed to the office.

58,960. (*The Attorney-General.*) Do you know anything of that yourself?—Well, I have made inquiries about it.

(*The Attorney-General.*) Well, that we cannot have.

58,961. (*Mr. Asquith.*) So far as you know, was O'Neill Larkin at any time a member or officer of the Land League?—He was not.

58,962. So far as you know, had he ever any authority from the executive of the Land League to use their offices for the purpose of circulating the "Irish World" on their account?—So far as I know, he had not the slightest. I think, probably, that circulation took place at the period of the disorganisation of which I have already spoken.

58,963. Did it come within your knowledge that the "Irish World" was sent to Members of Parliament, and others in this country?—They send it to me to this day—send it to me nearly always.

58,964. Do you read it?—Very seldom.

58,965. After the passing of the Arrears Act in 1882, did you in your movements receive either pecuniary, or what I may call journalistic support from the "Irish World"?—Not after the passing of the Arrears Act. The "Irish World" adopted a policy of hostility towards our movement subsequent to the passing of the Arrears Act and subsequent to the release from Kilmainham.

58,966. That would be after May 1882?—After May 1882.

58,967. After that date, so far as you know, was any money sent through the "Irish World" to the Land or National Leagues, or to any of your organisations?—As far as I know there was none sent. The "Irish World" collected a small sum—I can scarcely call it "collected"—for my testimonial—isolated remittances, which were sent at the time and appear to have been forwarded on to the committee in America—a few hundred dollars.

58,968–9. Do you remember a debate in the House of Commons on the 23rd February 1883, when Mr. Forster made an attack upon you, and you replied to it?—Yes.

(*Mr. Asquith.*) Mr. Parnell's speech, my Lords, has already been read, and so has Mr. Forster's. It is at page 3333.

58,970. In that speech, Mr. Parnell, you say, after other remarks, "Mr. Patrick Ford's aims and objects and programmes are not my aims and objects and programmes?—Precisely.

58,971. Does that truly represent your relations to Mr. Patrick Ford at that time?—Undoubtedly.

58,972. In the spring of this year, the year we are now on, April 1883, there was a convention held at Philadelphia?—Yes.

58,973. Do you recollect sending to this convention, or to Mr. James Mooney, President of the convention, a telegram which has been already read?—Yes.

58,974. Look at a copy of it to refresh your memory [*handing copy to the witness*]. First of all who is Mr. James Mooney?—Mr. James Mooney was a very substantial citizen of Buffalo.

58,975. Had you met him when you were there?—I had met him when I was out there. He is an Irishman in a very good position in that city.

58,976. So far as you know, at that time was Mr. Mooney a member of the Clan-na-Gael or of any secret or revolutionary organisation?—I never had the slightest notion that Mr. Mooney was a member of the Clan-na-Gael.

58,977. You say in that telegram, "My presence at the opening of the most representative convention of Irish American opinion ever assembled being impossible owing to the necessity of my remaining here to oppose the Criminal Code Bill, and so forth. I would ask you to lay my views before the convention." When you spoke of that as the most representative convention of Irish American opinion ever assembled,

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[Continued.]

what information had you as to the character of the convention and the people composing it?—I had none at all. I assumed that it would be an influential and very representative convention of Irish American opinion.

58,978. What was the purpose for which that convention, so far as you knew, was going to be assembled?—It was one of the annual conventions of the League. I did not follow the history of the American League very closely after I left the country, but it was one of the annual conventions of the American League. I do not know whether it was formed to convert the Land League into the National League. I think that was the convention.

58,979. That was the one; it was a re-formation of the American National League?—Yes.

58,980. At the time you sent that telegram and described the convention in that way, was there any understanding or alliance or arrangement of any sort between you and the physical force or extreme party in America?—Not the slightest.

58,981. You go on, “I would respectfully advise that your platform be so framed as “to enable us to continue to accept help from America, and at the same time avoid “offering a pretext to the British Government for entirely suppressing the national “movement in Ireland. In this way only can unity of movement be preserved both in “Ireland and America.” When you spoke of “unity of movement” what was it you had in your mind?—Unity of movement, that the movement in America should continue on the constitutional lines as it was conducted in Ireland. There was great excitement in America at this time owing to the passage of the Crimes Act, and the administration of it subsequently, and it was my duty to caution them to keep within bounds, and to keep the movement on constitutional lines, as I had left it when I left America.

58,982. You have told us you heard when you were in America of the existence of the body called the Clan-na-Gael?—Yes, I had, that it was in existence generally.

58,983. Were you aware at this time, or at any time, till the publication of these libels, that the Clan-na-Gael organisation was what has been called a “murder club”?—No, I never supposed such a thing for a moment.

58,984. Were you aware that its policy was a policy of assassination and dynamite?—I never heard it suggested.

58,985. Are you aware of it now?—I do not know it now, except what the witness Beach has testified to, and I do not think his evidence carries the matter as far as that. Of course that is for your Lordships to judge.

58,986. Did you know at this time, or afterwards, that Alexander Sullivan was a member of the Clan-na-Gael?—No. I do not know now that Alexander Sullivan was a member of the Clan-na-Gael at any time.

58,987. Did you meet him while you were in America?—Yes. I met him in America.

58,988. What was Mr. Sullivan?—Mr. Sullivan was a rising young lawyer, a man of great ability and rhetorical power, and he seemed very anxious to secure the successes of my movement in America, both for the relief of distress and for the foundation of the Land League. He was one of the prominent members in the North west.

58,989. In Chicago, I believe?—In Chicago, yes. He was undoubtedly one of the prominent men there.

58,990. Had you at any time any conversation or any information which led you to believe or suppose that Mr. Sullivan was engaged in dynamite or assassination?—Not the slightest.

58,991. Whatever may have been the secret action of some of these people, so far as your own knowledge, Mr. Parnell, goes, has any person at any time been an officer or in a position of authority or control in the Land or National Leagues of America who advocated or professed dynamite as a policy?—Not so far as I have ever known, heard, or suspected.

58,992. We have heard of O'Donovan Rossa. Did you ever come across O'Donovan Rossa?—I met him once at Philadelphia. I was introduced to him in the breakfast-room of the hotel.

58,993. Was that in your visit in 1880?—That was on my visit. I had a few minutes' conversation with him. I did not see him afterwards.

58,994. Have you ever had any communication with him since?—No, never since.

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58,995. Has Rossa ever occupied any position of authority or confidence in any of your American organisations?—No, he never has.

58,996. And, so far as you could judge from what you saw of him, or what you have heard, was Rossa a person who had any considerable authority, or any authority at all, among the Irish in America?—I should think very little in recent years. Since the Land League movement was established, undoubtedly. Afterwards, however, from his suffering and from his connexion with the old movement in 1885, he had a very good position in Irish thought and feeling, but in recent years I fear that he has lost that considerably.

58,997. In those years, 1883 and 1884, did you, in conjunction with your colleagues, introduce Parliamentary measures for the relief of the Irish labourers and the extension of the Tramways Act?—I wish, before we proceed further, to make a slight addition to one of the answers given yesterday. It was about Mr. Brennan. I stated that he had left Ireland in the end of 1882, and that he had not returned to Ireland. That statement was correct, but I find he was in London in February, and that he appears to have returned from the Continent, where he had been since he left Ireland in the end of 1882, to London, and then proceeded to America.

58,998. With reference to that, do you remember seeing in the Irish newspapers—the “Freeman’s Journal”—the date is the 27th of February 1883—a letter from Mr. Brennan to the editor of that paper dated from London?—Yes.

58,999. Is that the letter which you saw [*handing a copy to the witness*]?—Yes, that is the letter that I saw in the “Freeman’s Journal.”

(*Sir C. Russell.*) I do not know whether the reading of this letter will be objected to.

(*The President.*) I was considering. I do not see the bearing of it.

(*Sir C. Russell.*) The ground upon which we would suggest its admissibility is this. Continued association with Brennan as a notorious criminal is one of the allegations that is suggested here. This is a letter as to which I must in order to convey it to your Lordships, state something of its tenor. It is a letter in which he denies having left the country because he was charged or suspected of crime, and offering to give himself up.

(*The President.*) I think it is admissible then. Any letter which the witness saw would have a bearing upon the question whether he knowingly associated with criminals.

(*The Attorney-General.*) I have not said one word up to the present, but I wish to point out that of course a statement of this character put, by the name of Brennan, into the paper, is not in the same category as a letter written which might be taken as an admission against himself. There is no particle of proof at all of Brennan having written this letter, or, in fact, of its being a genuine letter, and I venture to submit to your Lordships that a letter written at this time, and alleged to be an excuse for not appearing, or offering to appear, would not be in the same category.

(*The President.*) We are only now dealing with the state of the witness’s mind, and anything which would have a tendency to create a belief in his mind at that time is admissible upon the issue which has been raised, namely, whether he knowingly associated with criminals, it only relates to this time.

(*Sir C. Russell.*) It appears in the “Freeman” of the 27th of February, and is dated the 23rd of February 1883, addressed to the Editor of the “Freeman.”

(*The Attorney-General.*) Does it purport to give the address?

(*Sir C. Russell.*) Yes, London. It purports to be from London.

“ Dear Sir,

“ In your issue of the 20th inst. there appeared a telegram to the effect that
 “ the British Government had made no request to the State Department at
 “ Washington for my extradition, thereby implying that I had fled to America
 “ and that I was liable to arrest even in that country on some very serious
 “ charge.

“ As long as such statements were confined to the English papers I refrained
 “ from replying, as I care very little what the English papers say about me, but
 “ when they appear in the “Freeman’s Journal,” it is a different matter, and I
 “ will avail myself of your courtesy to say that while I do not even feel called

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“ upon either to admit or deny the accuracy of the statement that I at one time
 “ belonged to what has been referred to during the Kilmainham investigation as
 “ the Irish Republican Brotherhood, I must emphatically deny that it is in the
 “ power of the English Government to advance any charge against me that would
 “ come within the meaning of the International Law of Extradition. If they
 “ want me on such a charge, I will save them the trouble of applying to the
 “ American Government.

“ Yours truly,
 “ THOS. BRENNAN.”

58,999a. (*Mr. Asquith.*) I was asking you in those years 1883 and 1884, did you in conjunction with your colleagues introduce measures into Parliament for the Relief of the Labourers and for the Amendment of the Tramways Act?—Yes, we drafted a Bill.

(*The President.*) I hope you will not pursue this part of the examination. I intimated our opinion upon that point yesterday.

(*Mr. Asquith.*) My Lord, I only wish to get the simple fact—I do not want to go into the details of the matter.

(*The President.*) But unless we enter into the details of the Bill, we could not know anything of its value.

(*Sir C. Russell.*) Does not it occur to your Lordships, that we are entitled to show what were the acts done by the persons charged with criminal conspiracy, in order to show that their action was directed to obtain constitutional redress by constitutional means through Parliament; and that in proportion, and as in fullness we show that, so do we negative I submit the allegation of its being a criminal combination and conspiracy. That is the only object, but I do not desire to press it if your Lordships think it is not admissible.

(*The President.*) I explained yesterday our view of the matter; the witness cannot give his general statement. I allowed a very considerable amount of detail to be gone into, but I checked it when it appeared to me to be exceeding the bounds. Observe, it would necessitate our inquiring into what was the nature of the Bills, and what they were, and so forth.

(*Sir C. Russell.*) I do not know whether this position is still adhered to by my friend, but the Attorney-General has been instructed to say and has said more than once that the Irish Republican Brotherhood, the Clan-na-Gael, and the Invincible conspiracy are all one and the same and indivisible.

(*The President.*) What has that to do with the Bill for the Relief of Labourers?

(*Sir C. Russell.*) It is to show that this was put forward by the party which was said to be one and indivisible. However, I have submitted that to your Lordships, and I will not press it further.

(*The President.*) We should assume that everything that was done in Parliament was done constitutionally.

59,000. (*Mr. Asquith.*) In those sessions of 1884 and 1885 were measures passed by Parliament largely extending the suffrage through the United Kingdom and in Ireland?—Yes, the Labourers Bill was passed. It became an Act of Parliament, and it was subsequently amended by Lord Carnarvon's Government.

59,001. I am speaking of the suffrage?—And the suffrage was also extended to the householders in Irish counties and boroughs in common with the householders in Great Britain.

59,002. I believe about this time, in the year 1885, you at the request and in company with Mr. Justin McCarthy had an interview with the then Viceroy of Ireland, Lord Carnarvon?—Lord Carnarvon, yes; he desired to consult me upon a proposed constitution for Ireland in the nature of a Parliament, and also upon the government of the country.

59,003. Shortly after that, was the general election of 1885 then held?—The general election of 1885 was then held.

59,004. Was that the first election under the extended suffrage?—Yes, the first election under the extended suffrage.

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59,005. What was the result of the election as far as you and your party were concerned?—The constituencies returned 85 members of our party out of 103 members to which Ireland was entitled under the Act.

59,006. In the following session—the session of 1886—what has been called the Home Rule Bill was introduced by Mr. Gladstone?—Yes.

59,007. Did that lead to another dissolution of Parliament?—That led to another dissolution.

59,008. And the rejection of the Bill, and there was another general election held in the summer of 1886?—Yes.

59,009. What was the result of that election?—We returned again 85 Irish National Members, and one in England.

59,010. Now, after that election, at the assembly of the new Parliament in the autumn of 1886, did you introduce a measure to give relief to the Irish tenants from the depression which had then set in?—Yes, the Tenants Relief Ireland Bill.

(*Sir C. Russell.*) We do not wish, of course, in the least degree, my Lord, to go from what you said, but I think your Lordships will see this is different rather from the other.

(*The President.*) I feel assured you will endeavour to act in accordance with my view; you must not go into the details of it.

(*Mr. Asquith.*) That Bill was rejected?—That Bill was rejected.

59,011. Did the Government then appoint a Commission which has been called the Cowper Commission?—Yes.

59,012. And in the following year after that Commission had reported, did Government propose, and did Parliament pass, the Irish Land Act of 1887?—Yes, containing several of the provisions of the Bill which I had introduced previously.

59,013. Which you had introduced in 1886?—The principle of the provisions with reference to the leaseholders and the abatement of rents.

59,014. From your own knowledge of Ireland, and the state of things then prevailing, was that Bill necessary to the peace of the country; and did it have a quieting and pacifying effect upon the country?—Undoubtedly, a very great quieting and pacifying effect.

59,015. It was in the course of the session of 1887 that these libels were first published?—Yes.

59,016. Beginning with March 1887, including the so-called fac-simile letter?—Yes.

59,017. Was the proposal then made by Sir Charles Lewis, that a Select Committee of the House of Commons should be appointed to inquire into these statements?—Yes.

59,018. On the ground that they constituted a Breach of Privilege of Parliament?—Yes.

59,019. Did you and your colleagues assent to the appointment of such a committee? Yes; I myself was in Ireland having gone over to inquire into the letters—to endeavour to trace the source of the forged letters, and I was not able to return to the House of Commons in consequence of illness; but I telegraphed my assent to the proposals of my colleagues, and it was read in the House.

59,020. And your colleagues supported the proposal?—Yes.

59,021. Was it rejected?—It was rejected.

59,022. I think this document is in. It is a sheet of the “Irish World,” with the name of a number of the Funds. Have you got a copy of this paper before you?—I am familiar with it, but I should like to see it.

[*The reprint from the “Times” of June 7th, 1887, was then handed to the witness.*]

59,023. I want to ask you about these various funds and your knowledge of them. You have got the sheet?—Yes, I have the sheet before me now.

59,024. Take first of all, please, the “Mitchel Testimonial”?—Yes.

59,025. You will find it in the second column?—\$4,000.

59,026. Had you or have you any knowledge of the raising of that fund or the expenditure of it?—Not the slightest. This I fancy was a testimonial raised to the late Mr. Mitchel—to his widow.

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59,027. Who was Mr. Mitchel?—He was a very distinguished Irishman who took part in the movement of 1848, and subsequently was returned for Tipperary.

59,028. I believe he went to America?—To America.

59,029. One time, and died there?—He went to America.

59,030. Have you any knowledge whatever of this fund?—No. I never knew of the fund; it was raised before I went to America.

59,031. (*Sir C. Russell.*) I believe he died in Ireland?—Yes, but I should think it was a very meritorious fund, or rather a fund for a very meritorious object.

59,032. (*Mr. Asquith.*) The next I will ask you to look at is what is called the “Skirmishing Fund.” That, my Lord, is the third of these small columns?—The “Skirmishing Fund,” according to this sheet, was closed on the 19th of July 1879. Its amount was \$88,306·32; a fund I knew nothing whatever about. It was closed before I went to America, and the matters connected with it never came under my notice at all until I first read the allegation of the “Times,” or first heard from Mr. Davitt that he had received a loan from the funds of this “Skirmishing Fund,” and that he was going to return it—a small loan.

59,033. So far as you know was there any part of the “Skirmishing Fund” ever applied to the Land League in Ireland?—Not as far as I know.

59,034. Or received by the Land League?—Not as far as I know.

59,035. Was it closed before the establishment of the Land League?—It was closed before the establishment of the Land League. I think it was a most unwise thing in Mr. Davitt to take the money; and it was perhaps still more unwise to give it back again.

59,036. I will ask you now about the “Leitrim Prisoners Defence Fund.” It is the second column?—The “Leitrim Prisoners’ Defence Fund” was also before I went to America. I was a fund I knew nothing about, and had never heard anything about it, until I saw it in this sheet, as published by the “Times.”

59,037. Then the next is the “Rossa Testimonial.” That is at the head of the first column?—The “Rossa Testimonial” was also prior to the establishment of the Land League. I never heard anything about that fund either.

59,038. Had you ever anything to do with it?—I never had anything to do with it.

59,039. The next is “Spread the Light Fund”?—The “Spread the Light Fund” was the newspaper fund of which I have spoken. It appears to have been established by the “Irish World” for the purpose of stimulating its own circulation, and I think it must have been established after the foundation of the League.

58,040. Did the Land League, as far as you know, ever receive any contribution from that fund?—Not so far as I am aware of.

58,041. Then the “Land League Fund”?—The “Land League Fund.”

59,042. That is the third of the large columns headed “Treasurer Egan’s acknowledgments”?—The “Land League Fund” probably comprised more than half of the amounts that we received from America for the Land League.

59,043. Do you mean that more than half of what you received from America was remitted through the “Irish World”?—Through the “Irish World.” The “Irish World” opened a column to collect funds for the Land League. This action on the part of the “Irish World” was objected to at the time—strongly objected to—by the leaders of the organisation in America—the Hon. Mr. Collins and others, and they objected to it to me personally—but I did not feel myself at liberty to refuse funds remitted by the “Irish World,” and I declined to take any action in the matter; and the money sent by the “Irish World” was used in the same way for the purposes of the League, as the other moneys received from the organisation.

59,044. In Ireland?—In Ireland. I think we should have received just as much money probably if the “Irish World” had not collected this money; for it was mainly money from the branches of the National League. However, as competition is the life of trade, probably the competition between the “Irish World” and the organisation of the Land League in America, did increase our funds.

59,045. Now, I take you next to “Widow Walsh’s Testimonial.” That is at the bottom of the second small column?—That is a small fund; I know nothing about it, except what I see here. It was a small fund raised for the purpose of Mrs. Walsh, whose two sons had been convicted of participation in some murder, the Letterprack murder, I think. She was a very old woman, and was deprived of her support by the

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[Continued.]

arrest of these two boys. One of them was executed, and the other sent to penal servitude for life; and she was of course an innocent victim; and I do not see that there was any objection to that fund at all.

59,046. You knew nothing about it personally?—I knew nothing about it.

59,047. Then the “Martyrs Testimonial.” That is the bottom of the third large column, the last one?—These last funds were collected after the “Irish World” had changed its policy regarding us in 1882.

59,048. I think perhaps the date of the collection is not given, but the date of the receipts at any rate is the 15th of October 1883?—Yes. It seems to have been money collected then to aid the relatives of the men convicted for the Phoenix Park murders. I just saw the fact at the time in the newspapers that money had been sent over through Miss Ellen Ford, and distributed amongst the relatives of these men. Further than that I know nothing about it; further than that it seems to be assistance given to women and children who were innocent of the crime and were innocent sufferers.

59,049. It was not instituted after consultation with you, or with your knowledge?—Not at all.

59,050. Then the “O'Donnell Defence Fund”?—That appears to have been a fund formed for the defence of O'Donnell, who was executed for the murder of Carey.

59,051. The “O'Donnell Testimonial”—had you anything to do with that?—No, I did not. I just saw it.

59,052. The date of that is the 1st of February 1884?—Yes; this was also after the “Irish World” had changed its policy.

59,053. Then there is one fund you may have been more interested in—the Parnell testimonial?—That seems to have been \$221.50, or £40 altogether. I imagine it must have been casual contributions sent by the subscribers to the paper and forwarded by the editor of the paper to the treasurer of the fund, but the “Irish World” never collected any money for me that I know of.

59,054. The total amount of that fund was what?—I think it was about 8,000*l.* raised in America.

59,055. What was the total amount you received?—Just under 40,000*l.*

59,056. They raised \$221—they raised 40*l.*?—40*l.* out of the 8,000*l.*

59,057. The last here is called “Miscellaneous Funds,” including Kickham's testimonial; have you any knowledge of these?—No, I do not know any of these. With regard to the fund I may summarise the matter by saying that with regard to six, seven, eight, and nine, these were instituted and collected at the time when the “Irish World” was in active hostility to us and to our policy. With regard to the funds one, two, three, and four, these funds were instituted and collected prior to the formation of the Land League either in America or Ireland. I have no knowledge whatever of their institution, or collection, or conduct. The only two funds in this sheet which were instituted and subscribed at the time that the “Irish World” was in accordance with the Land League were funds five and six—the “Spread the Light Fund” and the “Land League Fund.”

59,058. Now, I ask you generally with reference to the whole of this movement since the time when you first instituted it in 1879, up to the present day, have you, to the best of your ability, honestly endeavoured to conduct it within constitutional lines and within the limits of the law?—Yes, I can say that, that I have honestly endeavoured to conduct both the movement of the Land League and the National League within the limits of the Constitution, and to keep the movement free from crime. When I say that. I make this exception with regard to the technical offence of which we were charged in Dublin, in the State trials of 1880—the offence of inciting tenants to refuse to pay their rents—if that be an offence against the law. I believe Judge Fitzgerald held it at the time to be an offence against the law.

59,059. You admit that?—We admit it, and if the same thing were to come over again we should do the same thing again.

59,060. I believe you were not convicted?—No, the jury disagreed; there were ten for acquittal and two for conviction.

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[Continued.]

Cross-examined by the ATTORNEY-GENERAL.

59,061. Mr. Parnell, I should like to take one or two of the points you have referred to this morning. First, do I understand you to say that, until Le Caron's disclosures you never knew that the Clan-na-Gael was, what I may call, a murderous society?—Absolutely so.

59,062. Or had anything to do with dynamite?—Or had anything to do with dynamite. I do not admit that I know it now, or that it is the case.

59,063. Then I may take it this is quite a new suggestion to you, that a dyuamite policy was any part of the Clan-na-Gael creed until Le Caron gave his evidence?—Perfectly.

59,064. Do you remember the purchase of "United Ireland"?—Yes, perfectly.

59,065. By whom was "United Ireland" edited after its purchase?—"United Ireland" was edited by Mr. William O'Brien from the date of its purchase up to the present time.

59,066. Practically continuously?—Practically continuously, except for a short time, six months I believe, while he was in Kilmainham.

59,067. I do not want to anticipate. He edited it before?—I am not aware how much he edited or how much he did not; he probably took some part of it.

59,068. Do you say to your knowledge he did not edit it?—I say to my knowledge he took some part in contributing to the paper at that time, but he did not edit it.

58,069. However, we may take it for the present purpose. I am dealing with the period from the 13th of August 1881—that is the first number of "United Ireland"—up to the date when you were arrested, and went to Kilmainham—he was editor up to that time?—He was editor up to that time and also after his release.

59,070. I will call your attention to this; the very first number of "United Ireland," I am putting it to you, not as an exceptional utterance, but this is the very first number. It is page 7, 13th of August 1881:—

"O'DONOVAN ROSSA'S WARNING TO LANDLORDS."

"The following by O'Donovan Rossa to the Irish landlords has appeared in a recent issue of his paper:—'Irish landlords—We have a few words to say to you. It has come to our knowledge that the Irish people, who are gone with a vengeance, are being organised to save the remnant of the race now in Ireland from the further exercise of your vengeance, and we tell you that they are not going to allow you to carry on your work of destruction with impunity. It has been determined upon by the Clan-na-Gael to give you warning that henceforward a record will be kept of every landlord who exercises the power of eviction in Ireland, and for every such death sentence executed on a tenant, a death sentence will be recorded by the Irish race against the murderer's house, and the Irish race all the world over will give encouragement to the avenging angel. We give the benefit of this information, which we have privately learnt, to Catholic as well as Protestant landlords, and we ask Irish men and women to send us the names of families evicted after August 1881, and the names and residences in England, Ireland, or Scotland, of the evicting landlords.'"

—I understand you have just read an extract from some statement or circular issued by O'Donovan Rossa?

59,071. I have read an extract from "United Ireland?—Do I understand it to be a statement by O'Donovan Rossa?

(*The President.*) Yes, it purports to be a statement of O'Donovan Rossa in America.

59,072. (*The Attorney-General.*) No. The heading of the column is "In America." I have read the whole of the paragraph. It is called "O'Donovan Rossa's warning to landlords." Had you knowledge of that paragraph or not?—No, I have never seen the paragraph or heard it before.

59,073. Do you know one way or other whether in "United Ireland" repeatedly after that date, at various intervals, there were references to the dynamite policy of the Clan-na-Gael?—I have never seen these references.

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[Continued.]

(*Sir C. Russell.*) My friend is mistaken; it speaks of the members of the Clan-na-Gael.

(*The Attorney-General.*) I do not agree with my friend. You think fit to interrupt me, but that is not so.

(*Sir C. Russell.*) You are assuming it to be the Clan-na-Gael.

59,074. (*The President.*) That must be explained. I assume it to be the Clan-na-Gael?—I do not understand it has reference to the organised body of the Clan-na-Gael. The expression “Clan-na-Gael” has been used for generations for the Irish race scattered over the world.

59,075. (*The Attorney-General.*) That is your explanation, is it?—That is my explanation. I understand that O'Donovan Rossa used that expression in that sense, and not with reference to the organised body known as the Clan-na-Gael in America. I do not understand that O'Donovan Rossa, and do not believe that O'Donovan Rossa was at that time, or has been since, a member of the Clan-na-Gael.

59,076. That is your interpretation, which you are quite entitled to give of that paragraph. Let me read the preceding paragraph of the same column:

“ THE IRISH NATIONAL CONFERENCE,

“ New York, Sunday.

“ A meeting of Irish national representatives has been held in Chicago. The
“ Rev. George C. Betts, St. Louis, was in the chair.

I will refer to that directly.

“ There were present, under aliases, delegates from Dublin, Glasgow, Cork, and
“ several cities of England. The first day was devoted to selecting a governing
“ body, which is to prescribe the future mode of account, and call a convention of
“ Irishmen from all parts of the world in some locality, the name of which is not
“ yet divulged, in order to promote the cause of Irish independence. The
“ delegates agree in stating that they do not represent the dynamite idea, but are
“ willing to use even that against the actual army of occupation in Ireland. The
“ account adds that the delegates declare that none of the English Royal family
“ have been singled out for destruction.

“ Chicago, Friday.—The newspapers of the city all declare positively that in
“ the conclave of the Irish National party there is a section responsible for the
“ manufacture of the infernal machines discovered at Liverpool, and that this
“ section is now engaged in maturing measures for extending the distribution of
“ dynamite. It is further stated that the leading members of the party have held
“ a meeting with the object of taking steps to dissociate the Irish name and nation
“ from the schemes of O'Donovan Rossa. It was reported that a delegation of
“ priests waited upon them on that occasion, and adjured the conclave to
“ adjourn immediately, and desist from plotting; and their representations pro-
“ duced no effect.

“ The ‘New York Times’ says the Irish Convention at Chicago is a meeting
“ of the Irish Revolutionary Brotherhood. Its primary object is the revival of
“ Fenianism in order to free Ireland by physical force. Among the methods
“ advocated were desertion from the British army, the enlistment of patriots in
“ the navy for the destruction of ironclads by dynamite.”

59,077. You have no knowledge of that paragraph?—No, I have never seen it. I have never heard of the Irish Revolutionary Brotherhood.

59,078. May I take it then that you yourself, as far as your recollection goes, have no knowledge of either of the paragraphs respecting the dynamite or the editorial articles thereon which appeared in “United Ireland”?—Imputing dynamite operations to the Clan-na-Gael?

59,079. Yes?—I have not.

59,080. I will come back to that presently. Now in this connection, if you please, Mr. Parnell, you have stated that in May 1882, the time of the Kilmainham Treaty, the “Irish World” was against you?—Yes.

59,081. You remember saying that both yesterday and to-day?—Yes, that is a notorious fact.

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59,082. Now I will ask you first, sir, did not the "Irish World" contribute large sums right up till November 1882?—Not so far as I am aware. Perhaps they may have done so, but not so far as I am aware.

59,083. But forgive me for saying you have sworn to-day that the "Irish World" was actively opposed to you after the Kilmainham Treaty?—Subsequently to that, yes.

59,084. You stated from that date. You corrected Mr. Asquith this morning and said from May 1882. I first wish to ask you a specific question. Will you undertake to say that right up to until the 16th of December 1882 the "Irish World" was not contributing and sending to the Land League large sums of money?—They may have sent large sums of money to the Land League, but they were probably sums which were in the hands of the branches and which were still sent to the "Irish World" for forwarding, notwithstanding its change of policy. But my statement still remains true that the "Irish World," subsequent to the release from Kilmainham in May 1882, changed its policy towards us and adopted a policy of hostility towards the Irish Parliamentary party and the movement of the National League.

59,085. We will test that presently if you please. Of course I do not object to your repeating it?—Possibly the change may not have come within the first few weeks or the first month or two but it came at that period. That was the rough date at which it came.

59,086. You say it may be these sums of money to which I have referred—such sums for instance as in June, 10,324 dollars—these, I will tell you, are acknowledged by Patrick Egan?—Yes.

59,087. On the 2nd of October, 17,424 dollars—(that would be roughly 5,000*l.* or 6,000*l.*)—those two remittances may have been in the hands of branches for previous collection?—Yes.

59,088. You have no personal knowledge of that?—I have no personal knowledge; or they may have been collected by branches and forwarded to the "Irish World."

59,089. We are not speculating. You have no personal knowledge?—No.

59,090. Now I do not know whether you heard the article put in by Mr. Harrington at the conclusion of the "Irish World" extracts. My Lords, it has not been printed. It was read by Mr. Harrington, but by some accident it does not appear upon the note. It ought to be printed. It should be printed now. It is the article of 14th October 1882 in the "Irish World." It has already been read to your Lordship, but I wish to ask Mr. Parnell some questions. I will ask that the article, of which part was read by Mr. Harrington, and signed by Patrick Ford in the "Irish World" of 14th October 1882 may be printed upon this day's note. It ought to have been printed before.

[" THE CLOSE OF THE LAND LEAGUE FUND.

" Office of the 'Irish World,'

" New York, Oct. 4, 1882.]

Listen to this if you please.

" On last Monday, Oct. 2, I sent to Mr. Patrick Egan, Paris, a cable transfer
" of \$17,424-81. This, with drafts sent by mail same day, and advances on behalf
" of the Land League to Mr. Redmond, whose vouchers I hold, makes a total since
" last remittance of \$18,334.91.

" And with this remittance (it is with a keen sense of pain I make the
" announcement) will close the columns of the 'Irish World' to the Land League
" Fund."

You do not deny, I understand, that up to that time the "Irish World" had been supporting the Land League?—They had evidently been forwarding sums sent to them for remittance.

59,091. You are not following me. I do not want to argue with you. You do not deny that up to this date the "Irish World" had been supporting the Land League?—They appear to have been supporting the Land League up to the time when the National League was formed.

59,092. Have you any fact, Mr. Parnell (because you cannot put your surmises upon me) prior to that date to show any opposition or change of policy on the part of the "Irish World"?—I should like to have the opportunity of searching the files of the "Irish World."

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59,093. You shall have any opportunity you like; but you must be good enough to answer my questions. I have certain specific matters to put to you. You have sworn to-day that after May 1882 the opposition took place. Now I will concede in your favour for the present purpose we will take it some time in 1882. But I desire to know, do you at the present time know of any active opposition of the "Irish World" prior to May 1882?—The opposition of which I spoke commenced at the period of the release from Kilmainham, and it was probably at that earlier stage rather developed against myself personally and against the Parliamentary Party than against the Land League, or commencing to be developed.

"The reason for this action is that *there is no longer a Land League in existence.*

"What *was* the Land League is a thing of the past, and in its stead appears that beggarly nondescript—with its crouch and whine—the Mansion House Relief Committee. The hat is being again passed round 'for Poor Ireland.'

"A reaction has set in. Rather, a halt has been given to the logic of the movement. Canute commands the waves to recede; but will they?

"For the present, however, there is a check. The heel has been firmly put down on the principle of the land for the people—it must not even be discussed?

"What are those 'Communists' babbling about? They should learn that 'peasants' have rights, tenant farmers have rights, but MAN has no rights.

"At least, not within the range of 'practical politics.'

"Lord Randolph Churchill said in the House of Commons, in the hearing of the two gentlemen he had reference to, that the only difference between Mr. Gladstone and Mr. Parnell was a difference of 20 per cent. It was not really a question of bottom principles at all.

"The class movement—I use the words very deliberately, and I ask that they be noted—the *class movement* going on in Ireland is of the very essence of Toryism; and no one who believes in democracy or in national justice—no one who in good faith accepts the grand declaration of "Man's Common Inheritance" so nobly put forward by Bishop Nulty—can give more than half a heart to the half measure performance that is now being enacted."

Just listen for a moment—

"From the day of the 'Kilmainham Treaty' it has been nothing but going backward. A quietus was put on the Land agitation, the No Rent manifesto was withdrawn, public meetings were discountenanced; and finally the Ladies' Land League—the 'best men in the whole movement,' as someone said—were disbanded. Thus repression has actively co-operated with coercion. If the quieting-down policy was stipulated in the Treaty, then certainly the conditions of that Treaty have been most faithfully observed."

I first will put to you, was not that the openly alleged cause of the change of front of the "Irish World"?—I have not your advantage of having been an attentive reader of the "Irish World" during these years; and in giving my evidence I speak generally of the impression which was made upon me by casual observation of the "Irish World" from time to time.

59,094. You are perfectly at liberty to put anything you like upon me. It is no question of my advantage of being a reader of the "Irish World" or not. I am dealing with this fact. Will you now, if you can, point to any utterance of the "Irish World" alleging any cause of change of support or change of policy except that which I read from Mr. Ford's letter?—That and parliamentarianism, and I am quite sure that I could find you numbers of such utterances from the files of the "Irish World."

58,095. Well, we will see presently.

["The Parliamentary Party have it all their own way, and nothing is now to be done in Ireland without word from London. And as a member of the British Parliament is an important person—as he is ever oppressively conscious of what might be thought of him in 'the House'—it is not to be expected, of course, that he will say or do anything that would compromise his standing as a member.

"In all this I wish to say nothing whatever in disparagement, personally, of the gentlemen who compose the Irish Parliamentary Party. I believe they are individually as brave and as devoted as any equal number of men from Ireland would be likely to prove themselves. Entirely so—But what then? This very

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“ fact only strengthens the argument, for if the best of Irishmen can do so little
 “ in the British Parliament, what can be expected at all from the more indifferent
 “ sort? The question answers itself.

“ But even on good Irishmen the atmosphere of London has a bad effect, and
 “ for their health's sake they ought to stay away from there.

“ It is truly astonishing how really sensible young men—sensible in most other
 “ things—have got themselves to believe that those constitutional sham battles
 “ of theirs could ever work out Ireland's redemption, or bring any substantial
 “ good at all to the Irish people?

“ But if *they* are deluded, that is no reason why we ought to make fools of
 “ ourselves. *We know better.* And knowing and feeling as we do, it would be an
 “ unpardonable crime in us, were we to continue to give countenance to the
 “ delusion.]”

Now just listen.

“ From the day of its birth till now the “Irish World” has worked faithfully
 “ for Truth, Justice, and Ireland. It was the first paper on either side of the ocean
 “ to enlighten the people on the Land-robber system. It was it that suggested
 “ the Great Thought to Michael Davitt—the founder of the Land League himself
 “ has manfully admitted that much. It called into existence upward of a
 “ thousand branches, and in three years has raised and forwarded to Mr. Patrick
 “ Egan three hundred and forty-two thousand dollars—\$342,000; and for
 “ the work and time expended in accomplishing that, that it has not charged
 “ a penny. The labor was a labor of love to us, and we found our com-
 “ pensation in the thought that we were engaged in a movement that had taken
 “ a bold step in the ages, and promised to be the beginning of Ireland's indepen-
 “ dence, social and political.

Do you deny that the statement is true, speaking of it up to that time?—I do not deny that the “Irish World” worked very hard for the Land League up to the period of the release from Kilmainham, and was a medium for the transmission of large sums of money.

59,096. Do you know what is there referred to as Mr. Davitt's admission that the “Irish World” had been the main support or the suggester of the foundation of the Land League to him?—No.

59,097. You do not know that?—No, I have no knowledge of it so far as I can recollect.

59,098. I will come to it later on.

“ But the reaction now inaugurated by the Parliamentary Party. Well, to be
 “ sure, we don't like it; but we cannot say we are disappointed, and we certainly
 “ do not despair. *The movement will go on!* There is no power on earth that can
 “ stop it. The educational work done in Ireland has revolutionised the people,
 “ especially the rising generation. Every man who knew Ireland a generation
 “ ago, and who has visited that country within the past five years will bear
 “ witness to the astonishing change—the revolution—that has swept over the
 “ people. The fight has been spread. The principle which the ‘Irish World’
 “ enunciated has struck its roots deep in the soil, and will there abide.

[“ England, too, is catching fire, and Scotland. And here in America what
 “ question is coming to the front like the land? A New World has been discovered,
 “ and all are crying out, ‘Land, land.’”

“ We are in a transition state. As sure as the sun is in the heavens great
 “ changes are at hand. The old English system—the accursed system—is breaking
 “ up and passing away; and, with their fate staring them in the face, the land-
 “ thieves are now willing to let the people have their stolen inheritance at ‘fair’
 “ purchase. ‘Who'll buy? Who'll buy? *No one will buy because everyone feels*
 “ *that the land-thieves must go!* And, after the land-thieves, right on their heels,
 “ the castle will go, and the English flag will go, and the Parliamentary
 “ programme will go; and Ireland will have her own again.

“ So, my brothers, be not discouraged. If for the time being things look
 “ dark, know that it is but an eclipse; it will pass; and Ireland's sun, coming

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“ forth in its brightness, will warm, enlighten, and gladden ‘ a land that has had
 “ a long night, and will inevitably have a glorious day.’

“ PATRICK FORD.”

59,099. Now, I have called your attention in passing to this, that in this article which indicates the change of policy, the Kilmainham treaty, the withdrawal of the No-Rent Manifesto, the suppression of meetings, and the parliamentary action, are the things to which Mr. Ford objects?—Yes, I think that is what he objected to, and also to peasant proprietary as opposed to land nationalisation.

59,100. Can you now tell me any utterance of the “ Irish World ” prior to that date objecting to anything else in the Land League programme?—I should think that the “ Irish World ” never objected to anything in the Land League programme except the peasant proprietary plank, in opposition to land nationalisation, which it was the apostle of.

59,101. I am dealing with the statement you have made with regard to the action of the “ Irish World ” which I have to test most carefully. What I put to you is, except the action of the Parliamentary party, consequent on the Kilmainham treaty, and the three matters which I have referred to in the earlier part of the article, do you know of any disapproval expressed by Patrick Ford of the Land League action?—I grant you perfectly that the “ Irish World ” was in hearty accord with the Land League movement up to the time of the release from Kilmainham. Undoubtedly it was in hearty accord with the Land League movement. It criticised myself and many of my parliamentary colleagues personally from time to time, as I have said, and usually in a friendly fashion; and the ground of its criticism was that we had adopted the peasant proprietary or occupying ownership idea in preference to the programme of land nationalisation, of which the “ Irish World ” was the apostle. Then, subsequently to Kilmainham, the “ Irish World ” gradually commenced to turn its friendly criticism into hostile criticism, and upon the formation of the National League it was hostile to the National League. That was the impression which was made upon my mind by what I saw and read and heard of the “ Irish World ” at the time. As I told you, I was not a constant or anything but a very casual reader of it at any time, and of course I cannot give you chapter and verse without an opportunity of going over its files.

59,102. I do not want to interrupt you or to prevent you saying anything, but I ask you kindly not to lengthen matters by putting in things which are not particularly relevant. After that, October 1882, you remember stating, no doubt, in the House of Commons, on the 8th April 1886, that Mr. Ford had been constantly denouncing yourself and your policy during five years. Do you remember stating that?—I cannot recollect it off-hand. It is possible I did state it. It is quite possible. I have no doubt it is true, if you say so.

59,103. I have a reason for putting the thing to you specifically, if you please, Mr. Parnell. I refer to the 304th Volume of Hansard, column 1127. You had been taxed, you know, by Sir George Trevelyan with the fact that the “ Irish World ” was the organ of the Land League. You remember that, no doubt?—Yes.

59,104. These are your words: “ All I can say with regard to Mr. Ford is that he “ has been constantly denouncing both myself and my policy during the last five “ years.” Now, I do not want simply to cross-examine you on a matter of date. I will take the specific fact. Of course five years from 1886 would include both 1881 and 1882. I do not want to be critical about dates, I can assure you; but now I wish to ask you this. Will you give me now, if you can, the worst denunciation of you and your policy since 1882 by Mr. Ford?—Oh, I assure you I can do nothing of the kind; I do not carry these matters in my head.

59,105. No sir; but with reference to your oath yesterday and to-day, that Ford had been opposing the Land League and the National League ever since the Kilmainham Treaty, or I will say ever since the year 1882, can you now produce a single utterance of Ford’s adverse to the Land League or National League except upon the grounds which I have referred to to-day?—I do not think I have stated that Ford ever opposed the Land League. I have always drawn a distinction between Mr. Ford’s action towards ourselves and my parliamentary colleagues personally, and my own immediate policy, and the movement generally of the Land League; and then I draw

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the further distinction in regard to the change which commenced to appear after the date of the release from Kilmainham.

59,106. Now, sir, you have heard it stated (I do not wish to put to Sir Charles Russell any inaccurate statement by accident), and I think you said in the box that neither directly nor indirectly after 1882 did you receive any money from the "Irish World"?—I think that what I have stated in my evidence is true in regard to the moneys received by the "Irish World."

59,107. Repeat it, please, then. After 1882 is my point?—Not after 1882. I do not think I stated that after 1882 we did not receive any money from the "Irish World."

59,108. Is it not the fact that you, the Irish Parliamentary party, have received thousands of pounds after 1882 collected by the "Irish World"?—For the Irish Parliamentary party fund?

59,109. For the Irish Parliamentary party?—Not so far as I know. So far as I know, the "Irish World" did not collect anything for the Irish Parliamentary party fund. It may have done so, but, so far as I know, it did not.

59,110. This is a matter of importance. You have sworn the "Irish World" was opposed to you after 1882?—Yes.

59,111. Will you pledge your word that the Irish Parliamentary party have not received thousands of pounds, collected by Patrick Ford, since 1882?—Unless the "Irish World" may have collected some sums in recent years; for the "Irish World" has again changed its policy since the introduction of Mr. Gladstone's Bill of 1885.

59,112. No; do not let us go to the introduction of Mr. Gladstone's Bill at present. I am upon the period 1882 to 1886?—Not so far as I know. The "Irish World" was not collecting money for the Parliamentary fund.

59,113. That is entirely new to you, is it?—It is quite new to me.

59,114. Just listen to this, please. The first extract I desire to read to you is an utterance attributed to Mr. Davitt. I believe this particular reference is taken from Mr. Cashman's "Life of Mr. Davitt," page 221. It is a part which was edited by Mr. Davitt himself.

(*Mr. Davitt.*) No.

(*Sir C. Russell.*) Mr. Davitt does not say so.

(*The Attorney General.*) Then we will wait till Mr. Davitt comes.

"The largest subscription was sent through the "Irish World" to the Land League. It is but justice to Mr. Ford that I should state in this most public manner the work he has done for the League. His support has never wavered for a moment, and his paper has always been foremost in doing anything and everything which it could in behalf of the movement."

That is the statement you will observe with reference to what happened prior to 1882?—Yes.

(*The President.*) It is becoming a little complicated. Whose statement is that?

(*The Attorney-General.*) Davitt's statement.

(*The President.*) I thought it was from a "Life of Mr. Davitt" by somebody else?

(*The Attorney-General.*) My Lord, as a matter of fact, I believe that particular statement is a quotation from the part of the book which is written or alleged to be written by Mr. Davitt himself, page 221 of the "History of the Land League." But I am at the present moment putting it hypothetically to Mr. Parnell.

59,115. If that was stated by Mr. Davitt, you agree that accords with your view as to what was the condition of things prior to 1882?—It was undoubtedly Mr. Davitt's view.

59,116. And your own view prior to 1882?—I do not go as far as Mr. Davitt goes in his view of the "Irish World" and the assistance it gave.

59,117. Please pardon me, keep to the question. Up to 1882 that accords with your own knowledge?—What does? Mr. Davitt's statement?

59,118. That statement that up to 1882 the "Irish World" had actively supported you?—Had actively supported us. I have already stated that the "Irish World" had most actively supported the Land League.

59,119. And up to 1882 his support had never wavered?—I am not aware that the support of the "Irish World" ever wavered up to 1882.

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59,120. That up to 1882 his paper had been foremost in doing anything and everything it could on behalf of the movement?—It had been among the foremost undoubtedly. There were other Irish papers which did everything they could just as much as the “Irish World” did.

59,121. I am reading what purports to be a letter from Mr. Davitt published in the “Irish World” of the 24th of October 1885. I call your attention to the date, if you please.

“The ‘Irish World,’ which, of course, means Patrick Ford, has almost always been ‘a guide, philosopher, and friend’ of mine since my liberation from Dartmoor; and if I have had to differ occasionally with some of its teachings, and to criticise the wisdom of its plans for the freedom of Ireland, I have never for a moment doubted the unselfish patriotism which prompted such plans, or forgot the unparalleled services which you rendered to the Land League movement from its very inception until its organisation—but not its spirit—was suppressed by the Government of England. Indeed, no truthful historian can write the record of that organisation, and its giant assault upon the citadel of felonious Irish landlordism without recognising the fact that the chief inspiration of the movement, its spirit, and most of its financial strength came from the ‘Irish World.’”

Now, that, at any rate, up to 1882, would accord with your own view of the action of the “Irish World,” Mr. Parnell?—I would not altogether agree with Mr. Davitt that the chief inspiration of the spirit of the movement came from the “Irish World.”

59,122. From whom else?—It came from the whole of the Irish people of America, without almost an exception.

59,123. Now, just observe, if you please?—The Land League movement was not the movement of any journal in America.

59,124. I call your attention to the “Freeman’s Journal of the 28th of May 1886:—

“It is not correct to say for years and years the ‘Irish World’ had never ceased to attack us, because it has been our most persistent enemy.”

That is a quotation.

“But Mr. Ford (Davitt declares) since abandoning the dynamite propaganda has largely aided the National League of America by the powerful advocacy of his great paper, as well as by stimulating the subscriptions of Irish Americans to the funds of that League.”

Is that Mr. Davitt’s statement, or the statement of the “Freeman’s Journal”?

59,125. That is Mr. Davitt’s letter, published in the “Freeman’s Journal” of the 28th May 1886?—I am not aware of any stimulus to the fund of the Irish Parliamentary party or the National League contributed by the “Irish World” up to 1885.

59,126. That is quite new to you, I understand?—That is new to me, yes. I think, as I have already said, there was again a change in 1885, or the beginning of 1886, on the part of the “Irish World,” and I believe it is true to say that the “Irish World” is now heartily supporting it, and has abandoned its dynamite idea.

(Mr. Davitt.) That letter refers, my Lord, to the National League in America.

59,127. (The Attorney-General.) Pardon me a moment. I ask you do not you know, Mr. Parnell (I put it to you again distinctly), that Ford and the “Irish World” were through the years 1884 and 1885 collecting large sums of money for the Irish Parliamentary party and remitting them in that name to the treasurer in America?—I do not know it. I have never heard of it.

59,128. Till this moment?—Till this moment.

59,129. Very well. In reference to this statement that the “Irish World” was opposed to you, have you yourself at present endeavoured to find out or can you give me the worst which you suggest the “Irish World” ever said of you, or the worst way in which it opposed you after 1882?—I am sure I could give you many passages if I had a few hours or days to look over the files of the “Irish World.” As I have already explained to you, I have not been a constant reader of the “Irish World,” and I only speak of what was common knowledge or common report amongst us with regard to the attitude of the “Irish World” during those years.

59,130. Then the statement you have now made and repeated in your evidence as to the opposition of the “Irish World” is not based upon any paragraphs you can

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produce, but what you call general impression?—Undoubtedly it is based upon my casual reading of the “Irish World” during those years, and I have no doubt I can produce plenty of paragraphs.

59,131. Let me press you a little further upon it. Can you produce anything now?—I certainly do not carry any copies either in my bag or in my pocket. I shall be glad to search and produce passages for you.

59,132. Very well. Now I must just put one or two to you please. I call your attention to the “Irish World” of the 25th of December 1883. This purports to be a letter signed by Patrick Ford. That you will notice is just about a year after the alleged split?—Yes.

59,133. I must put this to you specifically before I read this. Except the points of objection to the Land League conduct, or the conduct of the Parliamentary party to which I have referred, do you remember any specific complaint ever made against you by Mr. Ford?—I understood that they made the complaint against the National League that it was a mere registration society.

59,134. Anything else?—I cannot recollect at this moment anything else, but I think that you have read in one of the passages that you have read from the “Irish World,” a series of complaints against us and against the organisation.

59,135. Forgive me. I will not stop you in any way, Mr. Parnell, but I must again repeat, can you tell me now any complaint Mr. Ford has ever made against the Land League or you except those enumerated in that letter, and it may be, possibly that the National League was a registration society?—Against the Land League, as I have already said, I do not understand Mr. Ford has made complaints during its existence. Against us he has constantly made complaints during the existence of the Land League. He criticised me while I was in America, immediately I landed in America.

59,136. No, do not go back?—Well, but you have asked me for specific instances of complaints made against me during the Land League times, and I can give some—not all of them, not more than a fraction of them, but complaints made during those times which I happen to recollect.

59,137. I asked nothing of the kind. I asked whether or not you could now allege any specific matter in respect of which Mr. Ford had complained of you after 1882, except those I have referred to?—I have no doubt that I can find specific complaints in number.

59,138. Can you now?—I have already stated to you that I have not come prepared to be examined with regard to the doings and proceedings of the “Irish World.”

59,139. Listen to this:—

“Next week there will be opened in the columns of the ‘Irish World’ an
“EMERGENCY FUND. The object of this fund will be to aid the active forces on
“the other side in carrying on the war against the enemy. It is unnecessary to
“enter into details. I can only say in a general way what I believe in myself.
“I believe in making reprisals. ‘An eye for an eye, and a tooth for a tooth.’
“I believe that every informer ought to die the death of a dog. I believe that
“all the material damage possible ought to be inflicted on the enemy, and that
“the war against the foeman ought to be persisted in without quarter to the end.
“I believe that England ought to be plagued with all the plagues of Egypt—that
“she ought to be scourged by day and terrorised by night. I believe that this
“species of warfare ought to be kept up until England, hurt as well as scared,
“falls paralysed upon her knees and begs Ireland to depart from her. This is
“my idea of making war on England.

“I do not, however, deprecate or depreciate other methods of fighting. As
“I have already said, we ought to employ all our forces, moral as well as
“physical. Let Parnell and his band of Parliamentarians—the most national
“delegation that ever went into the alien House—go on in their way, and God
“bless them. We say this with all our heart. Let the National League agitate
“in Ireland, and God bless it. Let Davitt start an agitation in England if he
“will, and God bless him. Let Archbishop Croke and Mr. T. D. Sullivan fight
“English influence in Rome, and God bless them. All these methods of antago-
“nising the enemy are good and patriotic; but all these methods of warfare,
“without the physical forces, will never make Ireland a nation. *But every man*
“*can do service in his own way.* We, men of the Irish race, ought to be at peace

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“ with each other. We ought to tolerate one another. Let the common enemy of us all do all the denunciation.

“ Every man who has called on me to open this emergency fund, every man who believes in the ideas here put forth, can now prepare for work.”

I will put the whole of the article in, but I ask you, do you represent that that is opposing you in the year 1883?—I imagine that its complimentary references to us in that article, which certainly I believe to have been exceptional, were dictated by its sense of the imprudence of continuously opposing the Irish Parliamentary party, lest it should lose its own influence in America and its readers. Certainly if the policy indicated by the “Irish World” in that article had been carried out there would have been very little left of us or our movement by this time.

59,140. I have, Mr. Parnell, of course, a great deal to put to you, and I will ask you to answer my questions as shortly as you can, but I will not stop you. That is the 25th of December 1883. Do you allege now that after that date Ford ever directly or indirectly opposed you?—I should think he frequently did—frequently I should say—criticised us hostilely.

(*The Attorney-General.*) I propose to point out, with reference to this allegation, that Mr. Parnell has said that the “Irish World” was opposing him, after either the date of the Kilmainham Treaty, or October 1882; that it is not so; and I propose to put in the paragraphs of the “Irish World” supporting Mr. Parnell and showing money remitted to him continuously, to show Mr. Parnell’s statement in regard to that matter is untrue. I mention it now because my friend Sir Charles Russell desired me to do so.

(*Sir C. Russell.*) You are very far afield. The question is whether this is admissible at all. Of course, it is perfectly proper to put it in cross-examination, but if the gentleman my friend is cross-examining says he did not see that, or his attention was not called to that, what is the ground upon which it is sought to put in articles or statements appearing in the “Irish World”?

(*The Attorney-General.*) The ground is this, if I may be permitted to respectfully point it out.

(*Sir C. Russell.*) Your Lordship sees where we should be landed. My friend would be entitled to ask the witness whether he had read this, that and the other, and take the whole of the columns of the “Irish World” and put them in.

(*The President.*) Yes, we have had that discussed before. You are not entitled to put long documents in merely because you ask the witness whether he has read them or not. When once the witness has given the answer that he has not seen it, and you call his attention sufficiently to it to enable him to answer, that puts an end to it.

(*The Attorney-General.*) May I point out that the sole object I have is this. Mr. Parnell has admitted that he stated in 1886 on two occasions that the “Irish World” had been constantly denouncing him, and had not been on his side for the last five or six years. Now, my Lord, it is clearly admissible, in contradiction of that statement which he has sworn to, to show that it is absolutely the other way. That is my only ground for saying it. I do not desire to read anything more than to show Mr. Parnell has not made a correct statement in that respect.

(*The President.*) Is that an issue in the case?

(*Sir C. Russell.*) That is not an issue in the case.

(*The President.*) It may be it is, for there are so many I cannot carry them all in my head at once, that is to say, whether or not the “Irish World” supported him upon the Kilmainham treaty.

(*The Attorney-General.*) My Lord, one of the allegations in the alleged libels is an allegation that the “Irish World” was supporting him, and that the National League, the successor to the Land League, was deriving its funds from the “Irish World” collection and from the American subscriptions through the “Irish World;” but in addition to that I only desire to point out that when we came to the end of the reading of the “Irish World” Sir Charles Russell stated distinctly in order to justify the stopping of the reading of the “Irish World” extracts at a certain date that neither directly nor indirectly (I have the passage) had Mr. Parnell ever received any funds after November 1882.

(*The President.*) We are not now on the question of funds. Plainly you are entitled to show as to the funds afterwards. It is now a question merely of the extent to

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which you are entitled to make use of these articles in the "Irish World" after this date. Mr. Parnell has given an answer that he does not read it or did not read it except casually, but he will search for the articles which he thinks will justify his statement that they were actively opposed to him.

(*The Attorney-General.*) My Lords, in the libel itself are quoted the two passages which I have to put to Mr. Parnell. I do not want in any way to read anything more than is material to show the truth of those passages. The two passages in the libel which have been referred to by Sir Charles Russell are the passages in which Mr. Parnell said "he has been constantly denouncing myself and my policy during these five years"—that is Mr. Ford—"the 'Irish World' has not been on my side for the last five or six years," and other passages as well. I submit to your Lordships, at any rate, I am justified in showing in cross-examination so much from the columns of the "Irish Times" as would establish that statement to be untrue and prove the converse of it, namely, that the "Irish World" was on his side. I do not want anything more than that in.

(*Sir C. Russell.*) If your Lordships will allow me for one moment. The only head of particulars which make it relevant is No. 5, and that is this—I mean the particulars which they have delivered of the charges and allegations; "the publication and dissemination of newspapers and of other literature inciting to and approving of sedition," and in that category is included the "Irish World" Under that head your Lordships admitted the columns of the "Irish World" up to October 1882. For no other purpose is that an issue in the case at all, I submit, to your Lordships.

(*The Attorney-General.*) I do not want to keep up any interlocutory discussion, but we must have a distinct understanding upon this. I have copied out from Sir Charles Russell's speech these passages with reference to this: "After May 1882 the 'Irish World' was actively hostile to Mr. Parnell and to Mr. Parnell's movements. It is true that it opened its columns for contribution to the Relief Fund, and that in its columns were acknowledged, and through its agency were remitted, to Ireland very large sums of money for this purpose, but after May 1882 not one penny, as I am instructed, directly or indirectly, was received through the 'Irish World.'"

(*The President.*) Mr. Attorney, I have already said anything which goes to prove the receipt of money through the "Irish World," I think is plainly admissible, and apparently Sir Charles Russell does not object to that. At any rate you must take it that any proof bearing upon that point may be given.

(*The Attorney-General.*) Yes, my Lord; but the statement is that it was actively hostile to Mr. Parnell.

(*The President.*) Yes, but a statement of Sir Charles Russell's of that nature does not entitle you to contradict it if it be not an issue in the cause.

(*The Attorney-General.*) It is actually in the libel itself.

(*The President.*) What is the passage in the libel that you refer to?

(*The Attorney-General.*) The passage is this—I cannot give you the Blue Book page at the moment. Speaking of Mr. Healy, he declared "that the "Irish World" had never ceased to attack them; that it had been their persistent enemy; that it had been denounced by eight bishops in 1880; and that the National League had never received any subscriptions from the 'Irish World.' On two several occasions during these debates, Mr. Parnell himself disclaimed all connexion with Ford. He has been constantly denouncing myself and my policy during these five years, he said on the 8th April. The terrible 'Irish World' has not been on my side for the last five or six years, he repeated on June 7th." I do not wish to read the following paragraph because it relates to another matter of great importance. With reference to that allegation we have delivered particulars in which we say that these conspiracies, as your Lordships have already been reminded by Mr. Asquith, were one and the same, that is to say the American conspiracy and the Irish conspiracy were working with one object. We desire to show that it is untrue, or incorrect—I will only use that expression—to allege that after 1882 there was a severance in the operation of the common object between the Land League or the National League, and Mr. Ford's paper, the "Irish World." Of course if it is not insisted upon, I do not want to occupy time at all; but if it is insisted upon, I desire to show continuous paragraphs from the "Irish World" supporting Mr. Parnell as well as remitting the money.

(*Sir C. Russell.*) You see that is not in issue at all.

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(*Mr. Justice A. L. Smith.*) Can you refer us to the Blue Book, Mr. Attorney, where you say this is in the libel?

(*The Attorney-General.*) In the same passage I can.

(*Sir C. Russell.*) These are the charges and allegations.

(*The President.*) Yes, but we must look to the Blue Book itself and see.

(*The Attorney-General.*) I will give it to your Lordships in a moment. It is the 14th March 1887 article, my Lords—in the last few lines of the second paragraph on page 206. I ask your Lordships not to read the last words of that paragraph, for a reason I have. “On two several occasions during these debates Mr. Parnell himself” it begins. If I may add a word, I will not trouble your Lordships further. I desire to point out that the witness has purported to give, in a general answer, a statement as to the contents of the “Irish World.” He has stated in chief that the “Irish World” was against him after a certain date. I produce the column of the “Irish World” to show that that statement is untrue, and I respectfully submit to your Lordships that that is in accordance with the rules—a series of papers affirmatively disproving the statement that the paper was hostile to him; but your Lordships will find it goes much further. I only desire to confine myself at present to the statement showing that the allegation that there was a severance between the “Irish World” and Mr. Parnell’s party after May 1882, except for a very few months, for reasons to which I have referred, is absolutely without foundation.

(*Sir C. Russell.*) I think I am entitled, as this new matter has been mentioned, to make an observation. What is the charge which is contained in the paragraph beginning “On two several occasions during these debates.” There is no charge and allegation there, it is a comment upon Mr. Parnell’s statement in the House of Commons. If the matter is put in a different form, we have them in the particulars, and if these particulars are of any use at all, I presume their use is more closely to define what the issues are; and again I say that my friend appears to admit that fact that the only paragraph which has any bearing upon the matter, is the fifth paragraph which says, “That the publication and dissemination of papers and other literature “inciting to, and approving of sedition, including the ‘Irish World.’”

(*The President.*) Those particulars do not in any way bind us; they were for the assistance of the Court and yourselves, but if there be no other charges appearing in the alleged libels—

(*Sir C. Russell.*) I am pointing out that there really is no other, and let me remind your Lordships the question is as to the state of the mind of the witness under cross-examination; it is not a question of a statement made in the newspapers, but what was the impression on his mind from the facts that came to his knowledge from the casual reading of the “Irish World,” and from the opinion presented to him by his colleagues. The result of my friend’s application will be that he will during the whole of this period call attention to every statement upon the subject in the “Irish World,” and have it upon the notes.

(*The Attorney-General.*) If that is so, Mr. Parnell can give hear-say evidence of what his colleagues have told him, and yet I cannot refute that in cross-examination.

[The Judges consulted together for a short time.]

(*The President.*) One of the charges against the persons inculpated, and amongst the rest, of course, Mr. Parnell, is a connexion with the “Irish World,” and the user of it for the purpose of their movement in Ireland. Mr. Parnell has denied that there was any such connexion after a particular date. He limits it to a particular time. The object of the cross-examination is to show that that statement of his limiting, whatever the connexion was, the support given to him by Ford, to a particular time, is not correct, and for that purpose it is necessary, and I do not know in what other way it would be possible to contradict that statement of Mr. Parnell’s, to give in evidence articles in the “Irish World” subsequent to the time to which he seeks to separate any support which he got from Ford, which would have a contrary tendency. We, therefore, think that the Attorney-General is entitled to put in evidence any articles after the time to which Mr. Parnell has referred, which show that they still continue to support his policy.

(*The Attorney-General.*) My Lords, if I may be permitted to say so, I will entirely confine it to such passages that will support that.

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(*Sir C. Russell.*) Will you give me a copy?

(*The Attorney-General.*) I will in every case.

(*Sir C. Russell.*) A full copy?

(*The Attorney-General.*) I have not got a full copy.

59,141. Now, Mr. Parnell, I call your attention to this, "the Redmonds"—the Redmonds, of course, were active supporters of yours?—Undoubtedly.

59,142. Active workers?—Yes.

59,143. The two Mr. Redmonds; I am sure they will not mind my putting it in that way, as I shall have to refer to them again presently—Mr. John Redmond and Mr. Redmond?—Yes.

59,144. They were of course active workers in the National League?—Undoubtedly.

59,145. Let me call your attention to this, the 9th February 1884:—

"THE REDMONDS.

"The brothers Redmond, Members of Parliament for New Ross and Wexford, are making good progress on their lecturing tour in America. They have already addressed large and enthusiastic meetings in San Francisco and Chicago. We heartily welcome them to the States, and wish them a successful campaign. They are, both of them, earnest and patriotic Irishmen who have laboured, and are labouring, zealously and honestly in the Irish cause. We have no doubt their countrymen in America will extend to them what they so eminently deserve, a cordial greeting and a warm support."

You do not deny, Mr. Parnell, that the Messrs. Redmond went to America as the representatives of your policy?—Undoubtedly Mr. John Redmond, of course, was the representative; his brother accompanied him.

59,146. I am not in any way drawing a distinction for the moment; you do not deny that these two gentlemen represented your policy?—Mr. John Redmond represented me in America, yes.

59,147. On the 16th February 1884 "Redmond—a farewell reception will be tendered to the brothers Redmond"

(*Sir C. Russell.*) My Lords, I should like the whole of this read. My friend has only read one paragraph of it. I should desire the whole read, because your Lordships will, I think, see it is important.

(*The President.*) Very well.

(*The Attorney-General.*) Your Lordship knows the rule you laid down yesterday. I will not say it is fair. It should be applied to both sides.

(*Sir C. Russell.*) May I point out a difference. Yesterday the Attorney-General wished me to read a speech of Mr. Davitt's; the parallel case would be if we were only to read a passage from Mr. Parnell's speech, and it was desired that the whole of it should be read.

(*The President.*) Of course you need only read such portions as you think qualify the passages which the Attorney read.

(*Sir C. Russell.*) It is the very point which shows that the policy which was here propounded was diametrically opposed to Mr. Parnell's policy.

(*The President.*) Confine yourself to as small a portion of it as possible.

(*Sir C. Russell.*) Certainly (*reading*)—

"England and Ireland have been for centuries and are now at war."

Then there is in parenthesis here:—

"The article argues at great length that in war the end is success, and that

"all means are justifiable to that end. It proceeds as follows"

That I presume is put in by the person who has collected these for the Attorney-General.

"Next week there will be opened in the columns of the 'Irish World' an "Emergency Fund" (in capital letters). "The object of this fund will be to aid "the active forces on the other side in carrying on the war against the enemy. "It is unnecessary to enter into details. I can only say in a general way what I "believe in myself. I believe in making reprisals. 'An eye for an eye, and a "tooth for a tooth.' I believe that every informer ought to die the death of a "dog. I believe that all the material damage possible ought to be inflicted on "the enemy, and that the war against the foeman ought to be persisted in without

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“ quarter to the end. I believe that England ought to be plagued with all the
 “ plagues of Egypt—that she ought to be scourged by day and terrorized by night.
 “ I believe that this species of warfare ought to be kept up until England, hurt as
 “ well as scared, falls paralysed upon her knees, and begs Ireland to depart from
 “ her. This is my idea of making war on England.”

Then the paragraph proceeds which the Attorney-General has read :—

“ I do not, however, deprecate or depreciate other methods of fighting.”

(*The Attorney-General.*) I hope this will appear on the note, the whole of it in one place—that is, it need not be printed twice over, but that which I intended to read originally, but refrained from reading in order that I might not occupy time, shall appear in one place.

(*The President.*) Yes, by all means. I am sorry you attach so much importance to this appearing in print.

(*The Attorney-General.*) I have read the first extract about Mr. Redmond. I will read the next one :—

“ A farewell reception will be tendered to the Brothers Redmond on the
 “ 21st inst., at the Cooper Institute. The labours of the Messrs. Redmond in their
 “ accredited capacity as representatives of the Irish people, have been productive
 “ of great practical good. As a result of their mission in Australia, 300 branches
 “ of the Irish National League have been organised, and 12,000*l.* has been remitted
 “ to the treasurer of the Irish National League, Dublin. Work of this kind
 “ deserves recognition from all classes, and we therefore hope that the welcome
 “ accorded to the patriotic brothers will be of the warmest and most cordial
 “ character.”

59,148. I only desire to call your attention to these articles. I need not ask you questions upon every one of them?—You do not wish to have my views about those articles.

59,149. If you desire to give any explanation upon them at any time give it now?—Well, my Lords, I assume that these articles were written at about the transition period, when the “Irish World” was adopting its policy of physical force and outrage, apparently to the Irish people of America, and I assume that it did not think it prudent to actively oppose my honourable friends who were in this country, or to take open ground against them with the view of the success of its rival policy.

(*The President.*) You gave that explanation before.

(*The Attorney-General.*) Yes, my Lord.

59,150. Just listen to this, 29th March 1884 :—

“ THE IRISH NOT DISUNITED.”

“ Here and there some persons talk as if there were disunion among Irishmen.
 “ They say—one section of Irishmen believe in physical force and others advocate
 “ moral suasion. England would like to see the Irish quarrelling among them-
 “ selves; and if she fails to sow dissension among them, the next best thing for
 “ her purpose she thinks is to circulate the notion—the false notion—that they
 “ are divided. But the Irish are not disunited. The methods employed in
 “ fighting the enemy are many and diversified; but in sentiment, in devotion to
 “ the cause of Ireland, and in determination to regain for her her plundered
 “ rights all the forces are as one man. We want to see all the forces continue
 “ actively in their respective fields until the fight is over. Parnell, our general-
 “ issimo, is now giving out good things. So is Davitt. So is A. M. Sullivan,
 “ Indeed all the chiefs on the other side seem at the present time to be doing their
 “ best. On this side of the water we have a capable and clear-headed man,
 “ Mr. Alexander Sullivan, of Chicago, as President of the Irish National League
 “ of America. He is a man of ideas. One of his ideas has foiled England in
 “ her villanous ‘assisted emigration’ scheme. Meanwhile the physical force men
 “ are causing England to howl as she never howled before. Here is the advan-
 “ tage of diversity of methods. Success say we, to the National League, and
 “ more power to dynamite.”

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Do you suggest that that is an article against the National League, Mr. Parnell?— Undoubtedly it is; so much of it as advocates physical force and suggests the use of outrage most utterly against the National League.

59,151. Very well, that is your view. Now the 30th August 1884.

“THE BOSTON CONVENTION.

“If the methods of the Irish National League are not the best possible methods, they are at least useful in their way. All methods ought to be utilised for Ireland. The Boston Convention cannot fail of producing good effects. * * * *

“The old heroes in canvas were used to such accents. It would not have been wonderful, however, had some of them glowed with indignation at Sexton’s ‘great expectations’ from the London Parliament, and speaking from their frames, cried ‘Stop that!’ What have we to do with the English Parliament? On the 17th of March 1776, the British were evicted from that famous town. * * * *

“Mr. Alexander Sullivan seems to have caught the inspiration of those days while he was on the platform. Mr. Sullivan made a good speech. As President of the National League of the United States he made a good officer. Of Mr. Patrick Egan, who succeeds Mr. Sullivan it is unnecessary to speak. Not a more earnest Irishman lives than Patrick Egan. * * * The cant about ‘disunion’ did not put in an appearance. There will be differences, but there need not be antagonisms. This fact is being recognised. Hence toleration is superseding ball-doing, and harmony promises to supplant the ‘unit rule.’”
Then 17th January 1885:—

“We have received from our valued friend Mr. Patrick Egan, President of the National League of America, a copy of a circular enclosing a sample card of membership, which is being sent to the officers and friends of the organisation throughout the country. Though unable to accept the programme of the League in its entirety, we willingly recognise that its main purpose is a good and patriotic one, and that among its leaders are some of the truest and best friends of the Irish cause. To help our kindred at home to obtain national self-government is in brief the principal aim of the American League. That object must command the heartiest sympathy of every man and woman of Irish blood the world over. From the circular which Mr. Egan sends us we reproduce the following:—”

Then there is an extract left out, and my extract goes on in this way:—

“Mr. Parnell and his able and intrepid band of followers are every day gaining ground in their struggles against their enemies in the alien Parliament, while at home the people are seizing every representative position, hurling from power the slaves and sycophants of the English garrison, and filling their places with staunch Nationalists. * * * We urge upon you the necessity of collecting and forwarding to the National Treasurer the regular dues of the members, and in view of the near approach of a general election in Ireland, when Mr. Parnell, with the advantage gained under the new Franchise law, hopes to increase his party from its present number of 25 active members to 85, we would point out to you the urgent necessity for prompt and vigorous action in furtherance of the Parliamentary Fund.”

The article goes on:—

“This address is signed by Patrick Egan, President; Rev. Chas. O’Reilly, D.D., Treasurer:—”

I ask you to note that name, Mr. Parnell, in passing,—

“and Roger Walsh, secretary. We cordially endorse the appeal of Mr. Egan and his colleagues of the League Council. We hope that those to whom they speak will promptly put their shoulders to the wheel, and apply themselves energetically to the performance of the duties specified. Without organisation no systematic or effective aid can be rendered to those who are maintaining the struggle in Ireland. And we feel bound to admit that the struggle is being

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“ kept up with a spirit worthy of the warmest admiration. Seizing upon every
 “ representative position as the circular expresses it, hurling from power the slaves
 “ and sycophants of the English garrison, and filling their places with staunch
 “ Nationalists, is undoubtedly excellent work, which we hope to see continued with
 “ unabated energy. Every council and board in Ireland should be manned by
 “ pledged enemies of British rule, and so long as Ireland must suffer the indignity
 “ of sending members to a foreign Parliament, so long every Irishman’s vote
 “ should be recorded for a man who is known to be irreconcilably hostile to that
 “ Parliament’s insolent claim to rule the Irish people. Mr. Patrick Egan and his
 “ associates of the American League Council are thoroughly earnest in their
 “ resolve to carry out this policy, and we therefore think they have a strong claim
 “ on the active sympathy of all good Irishmen in America, and we heartily wish
 “ God-speed to their patriotic efforts.”

59,152. Now, the 24th January 1885. This is the “ Irish World ”—I am taking
 solely the “ Irish World ” at present :—

“ A GOOD SPEECH FROM MR. REDMOND.

“ A cable dispatch informs us that Mr. Redmond, M.P., in a speech delivered
 “ at Edinburgh the other day, took occasion to refer to the recent dynamite
 “ explosions in England. After stating that the Irish Parliamentary party had
 “ no sympathy with this mode of warfare, and possessed no influence over those
 “ who practised it, Mr. Redmond proceeded to say : ‘ But it is not the duty of
 “ ‘ Irishmen to act as detectives. Dynamite outrages will continue as long as
 “ ‘ men like Spencer govern Ireland by coercion. Irishmen must continue to
 “ ‘ regard Mr. Bannerman, Chief Secretary for Ireland, as a tyrant while he
 “ ‘ continues to rule without their consent.’ ”

That is the quotation of Mr. Redmond’s speech.

“ We believe that in these words we have quoted Mr. Redmond has given
 “ utterance to sentiments that will meet with the hearty approval of all thinking
 “ Irishmen.

“ It cannot be expected that all working in the service of Ireland should take
 “ the same views as to the best means of advancing the Irish cause. There must
 “ necessarily exist a diversity of opinion about the means to be adopted, while
 “ there may be an unanimity of sentiment as to the object to be obtained. The
 “ parliamentarian may honestly believe that he can best serve the Irish cause by
 “ constitutional agitation, while the believer in the use of dynamite may just as
 “ honestly hold by the opinion that the only way of compelling England to do
 “ justice to Ireland is to force her to realise that her own safety absolutely
 “ depends upon her doing so.

“ If the parliamentarian does his work, and the man who believes in dynamite
 “ does his, what need of antagonism ? Indeed the one can, and ought to, supple-
 “ ment the work of the other. When England turns a deaf ear to the oratory of
 “ an Irish M.P., an explosion or two will make her only too willing to listen to
 “ this oratory, in the hope that by listening to it she may be saved from something
 “ worse. And so it may easily be brought about, that Irishmen, working on two
 “ very different lines may, like two corps of the same army, operating in different
 “ parts of the same battle-field, help on the common cause.

“ In any case, it is not the duty of an Irishman, no matter what his views
 “ may be, to do ought to help England out of any difficulty she may be involved
 “ in on account of her treatment of Ireland. Those Irishmen who do not believe
 “ in using dynamite against the common enemy should at least assume the
 “ position of neutrals. They can say to themselves that it is none of their business
 “ what danger England may be exposed to through her crimes against Ireland.
 “ This, we take it, is what Mr. Redmond means when he says, ‘ It is not the duty
 “ ‘ of Irishmen to act as detectives,’ a sentiment that will be heartily endorsed by
 “ the Irish race at home and abroad. England has wealth enough, and influence
 “ enough, to form, or to speak more correctly, pervert the public opinion of the
 “ world, without Irishmen helping her in the work.

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“ In Mr. Redmond’s speech apart from its condemnation of Irishmen joining England in her hue and cry against the use of dynamite, we discern another healthy sign. The speech is instinct with the true national sentiment ‘ Irish-
 “ ‘ men must continue ’ says Mr. Redmond ‘ to regard Mr. Bannerman, the Chief
 “ ‘ Secretary for Ireland, as a tyrant, while he rules without their consent.’ ”

[“ That is it. Every Englishman or Irishman holding office in England by appointment of the British Crown, and not by the consent of the Irish people, is a tyrant, and should be regarded as such by the Irish nation. The very essence of tyranny is to govern without the consent of the governed ; and that is what every Crown official in Ireland is doing to-day. We are glad to see that Mr. Redmond recognises the real character of such rulers as Bannerman, and has the courage to give expression to his thoughts. His speech is another sign of the growth of the national spirit in Ireland. Let us hope that it will keep on growing until England is compelled to acknowledge the utter impossibility of her holding on to Ireland.”*]

(Mr. R. T. Reid.) Mr. Redmond denies the accuracy of part of that account.

(The Attorney-General.) Of course he will do that in the proper time and place. That is neither proper nor relevant to my cross-examination.

(Mr. R. T. Reid.) It is not the Attorney-General’s duty to discuss that.

(The Witness.) I never saw that speech before.

59,153. (The Attorney-General.) You are unaware that the “ Irish World ” published that article ?—I never heard of Mr. Redmond’s speech or of the article.

59,154. The next is the 21st of March 1885.

“ IRELAND SOLIDLY FACING THE ENEMY.

“ All Ireland—her bishops, her priests, her people, and their leaders—are knitted together in a phalanx of fierce opposition to everything English within the four seas of their country. And so far as the power to do so has rested with them, the people have swept the friends of England from every post of honour and trust throughout the land. The representation in Parliament is under the absolute control of the National party, and no candid person can refuse to recognise in Parnell and his colleagues the first and only genuine national representation which Ireland has ever had in the British House of Commons.

“ There are Irishmen who reject Parliamentary effort as useless and mischievous. We do not agree with them. We hold, and have always held, that no efficacious methods by which the cause of Ireland can be advanced, should be discarded. In Parliament good work may be, and is being done. The Irish question is only and persistently kept at the front there by Irishmen who faithfully interpret the national sentiment of their country in the attitude of irreconcilable hostility to England which they continue to maintain with a spirit deserving the warmest commendation. We believe it is the part of an Irish patriot to give his hearty sympathy and support to every effort, whether made in the London Parliament or out of it, which is honestly directed to the same end, viz., the abolition of British rule, and the establishment of National Independence in Ireland ; and we think it the duty of all who are so engaged to be at least tolerant of differences of views as to methods, so long as such differences do not take the shape of obstruction to the labours of any honest party engaged in pursuit of the common purpose. The Irish National League has its programme, and it is being worked out in excellent spirit and with creditable energy by people and leaders in Ireland. No good Irishman will do or say anything to mar that programme, or put difficulties in the way of its accomplishment. We see and recognise with intense gratification that the League, backed by the people, has already sent the Irish cause by leaps and bounds on towards the goal of victory. It has not only captured seats in Parliament, but it has driven Ireland’s enemies from the Town Councils, and all the popularly elected boards and representative positions in the country. From the Mayoralty of Dublin, to the

* The part in brackets was not read.

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“ clerkship of the smallest town, there is no post in the gift of the people, which
 “ can now be won by any man who is not an avowed and pledged foe of England.
 “ All England’s appeals and menaces have failed to obtain from Mr. Parnell,
 “ or his party, a solitary pronouncement against ‘outrages,’ and she is compelled
 “ to look the unpleasant truth in the face that there is a solidly united Ireland,
 “ and that no stroke at British power, howsoever, or by whomsoever delivered,
 “ will elicit from Ireland or its leaders, a disapproving utterance. To men of
 “ Irish blood throughout the world the spectacle here presented will bring cheer
 “ and hope and courage.”

59,155. (*The President.*) Do you give the same answer as to that?—Yes, my Lord, I have never read the article before, but I have no doubt that other passages in considerable number could be brought indicating an entirely different tendency and strain.

59,156. (*The Attorney-General.*) I will now put this question to you, following what my Lord has said. What passages had you in your mind when you said the “Irish World” was against you?—I have already told you, I cannot give you the quotations from the “Irish World.” I spoke of the impression that was created upon my mind by the occasional references I had of the “Irish World” from time to time during those years, and by the common opinion and notorious fact that Patrick Ford and the “Irish World” were opposed to my policy and to the National League during those years.

59,157. Now just listen. I quote your words again spoken in 1886:—

“ He has been constantly denouncing myself and my policy during these five
 “ years; the terrible ‘Irish World’ has not been on my side for the last five or
 “ six years.”

Those are both taken *verbatim* from “Hansard.” Do you persist in that statement now?—I believe the statement to be correct as a whole with reference to the years subsequent to the release from Kilmainham.

59,158. I am speaking of the four years 1882 to 1886?—Yes.

59,159. Do you repeat that statement now?—With the explanation that you have heard, when the “Irish World” seems to have been attempting to ingratiate itself with the Irish people in America, by representing that it was on our side, and that it was with our approval that it was advocating the joining together of the physical force and the Constitutional party.

59,160. Now just observe what I have read. You need not think they are by any means all that I have got of them; I only make a selection. When you pledged your oath to the statement that the “Irish World” was against you, had you a single article in your mind?—I had the impression that been created on my mind during those years from such references.

59,161. Had you in your mind one single article which you could produce in Court?—I have already told you I have not been a reader of the “Irish World,” and that I have not studied the “Irish World.”

59,162. That is not the question. Had you one single article in your mind when you gave that answer yesterday?—I have no doubt that I can produce many.

59,163. Had you one single article in your mind when you made that statement?—I undoubtedly had not any single particular article in my mind that I could recollect at the time.

59,164. Now, the 11th April 1885. It is entitled—

“GOOD FOR PARNELL.”

“ We doubt if Ireland’s national holiday was celebrated in any part of the
 “ globe more enthusiastically or patriotically than in the heart of England itself:
 “ and we aver also that no truer or more timely utterance was given vent to than
 “ that of the orator of the day, Mr. Parnell, when after recounting the outrages
 “ resorted to by England to sweep away the Irish race, and with it the traditions
 “ of Ireland’s nationhood, he said:—

“ ‘ England refuses to allow Irish children to learn the history of their own
 “ ‘ country, but I am happy to say Ireland still lives and strives for nationhood.’ ”

I ought to tell you this is an alleged quotation of your speech. I shall have to ask you about it presently.

“ Ireland still survives even at home, and this gathering shows that Ireland
 “ certainly survives in foreign countries. England will respect you in proportion

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“ as you and we respect ourselves. They will not give anything to Ireland out of justice or righteousness. They will concede you your liberties and your rights when they must and no sooner.”

Then the quotation of your speech goes on in this way—

“ I do not pretend to predict in what way the rights of Ireland will be ultimately gained. It is not for me to say to what extent those rights will be gained ; but a man in my position ought to consider that in anything he does, and in anything that he says, he ought not to hamper the people in their march for their liberties. He ought not to prevent them from obtaining the utmost and the fullest measure of their rights which may hereafter become possible.”

Then the article goes on—

“ The first declaration herein contained, coming with the weight of experience in the English House of Commons, adds another testimony to the sad lesson of Ireland’s pleading for justice ; and the second justified by that experience as a declaration of policy, is one that every Irish Nationalist can say amen to. Let ‘ Ireland a Nation ’ be our watchword, and let us all work according to the light given us.”

In the first place, do you deny or admit that is a correct quotation from the speech of yours?—I daresay the quotation is a fairly correct one, and it refers to, I think, the speech I made in 1885 with reference to the local government proposals which were under consideration about that time, and which were made by Mr. Chamberlain, and although I did not specifically refer to the Government proposal, I had in my mind these proposals and the probability that it might be thought or said that the acceptance of a scheme of central government or central administrative government, such as was proposed by Mr. Chamberlain, might be an obstacle in preventing us from afterwards obtaining an Irish Parliament—might be held to give away our rights ; that is my impression as to what I had in my mind.

59,165. Now did you know “ Transatlantic ” ?—No, I never met Mr. Mooney.

59,166. Did you know him by name ?—Mr. Mooney was his name.

59,167. What christian name ?—I cannot recollect his christian name at this moment.

59,168. Are you quite sure ?—I beg your pardon. As far as my recollection serves me I do not remember it.

59,169. You do not recollect it now ?—I do not recollect it now.

59,170. If you could give me his christian name I should be glad ?—I dare say I can get it.

59,171. Did you ever hear of a parliamentary fund started by Ford ?—No, I never heard that Mr. Ford started a parliamentary fund.

59,172. Started and subscribed to it ?—I never heard that.

59,173. Conducted it ?—I never heard of it.

59,174. Took charge of it ?—I never heard of it.

59,175. I will call your attention now to one or two extracts of the 11th April 1885 ? (Sir C. Russell.) What is this ?

(The Attorney-General.) I am confining my attention to two points.

(Sir C. Russell.) My friend is about to proceed to read something from Transatlantic ; the point your Lordship’s decided was, that articles in the “ Irish World ” which might go to show that Mr. Parnell was not correct in his statement that the “ Irish World,” and was not in his favour, was not admissible. Now, my friend proposes to read something in the correspondence of Transatlantic.

(The Attorney-General.) I am not going to do anything of the kind.

(Sir C. Russell.) You suggested it.

59,175a. (The Attorney-General.) I propose to refer to the first extract, showing the subscription to the fund. “ Mr. Parnell and the Irish World.” It purports to be by Transatlantic. My object was for the purpose of indicating that name. 11th April. “ The Irish party to return 18 members, must have in the bank one hundred thousand pounds by the 1st November.” Did you know Transatlantic subscribed to the parliamentary fund ?—No, I did not.

59,176. Are you quite sure of that ?—I am quite sure, I have no recollection at all of it, but I am very glad to hear he did so.

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59,177. That may be adroit, Mr. Parnell. Did you or not ever communicate to Mr. T. P. O'Connor that Transatlantic had made subscriptions to any of your funds?—I may have referred to Mr. Mooney as having subscribed to the Land League, but I cannot specifically recollect that I did.

59,178. You are acquainted now at any rate with Mr. Mooney's writings and the character of them?—I have read some of them.

59,179. When did you first know of them?—I must have known of Mr. Mooney's writing as soon as I first heard of the "Irish World."

59,180. You knew what had been described by persons in your presence in Parliament on the utterances by Transatlantic from time to time, from 1880 to 1886?—I knew he had written some very objectionable and most reprehensible articles.

59,181. Why, many of them were quoted in your presence?—Very possible.

59,182. As far back as the years 1881 and 1883?—I think it is possible.

59,183. Had you any objection to receiving this money from Transatlantic?—I should not have objected to receive money from Mr. Mooney, if at the time he was not engaged in writing these murderous articles.

59,184. Can you point to any one single utterance of Mr. Mooney's, either showing a change of mind or repudiating in any way the utterances he had previously put forward?—I was not more intimately acquainted with Mr. Mooney's utterances than of the "Irish World."

59,185. That is your answer?—Except that I think I know of them generally by report and by occasional reference.

59,186. This is 8th August 1885. It is a letter to the editor of the "Irish World," printed in the "Irish World," New York, July 27th.

(*The President.*) From whom?

(*The Attorney-General.*) From "Irish Extremist."

(*Sir C. Russell.*) My Lords, is this admissible.

(*The President.*) It makes no difference in principle whether it is a letter or an article.

(*The Attorney-General.*) I will only read what appears to me directly to advocate the support of Mr. Parnell's policy. The whole of it shall go in—

"New York, July 27th, 1885. Editor, 'Irish World.' Dear Sir, will you give me space in your journal to notice a few passages in the letters of your able correspondent 'W. M. C.,' and also to say a few words on the Irish question? Your correspondent in his letter in this week's 'Irish World' and in a previous issue advocates Mr. Parnell's taking office in the British Ministry. I cannot believe 'W. M. C.' can be serious in wishing the Irish Parliamentary leader to accept office under an English Parliament, whose authority in Ireland he and his followers are using every endeavour to destroy. While firmly believing that Parliamentary tactics, with the outside agitation of Mr. Davitt combined, cannot succeed in getting any concession so great as legislative independence from England, still I hold that they (the Parnellites) should receive the united support of every national Irishman at present; and I am sure Mr. Davitt is too patriotic to carry out the programme set for him by the hireling press of England, to sanction the slightest disunion in party.

[*—"The repetition of daring deeds will speak for themselves trumpet-tongued before the world. They will be their own advocates, and if silently and successfully carried out, will make the active and vigorous policy respected. The time is not far distant when Mr. Parnell's policy will be put to the test of success or failure. In the next Parliament his following will be as numerous and energetic as he can hope for. And if they fail in their demands I am satisfied that these patriotic gentlemen will try and make the opportunity long looked for and cast in their lot with their revolutionary brethren, repaying us the aid we have given them hitherto and in the common cause of our motherland, work for the destruction of the tottering British Empire, and realise in our generation the long struggle of centuries, a free and independent Ireland. Yours respectfully, "AN EXTREMIST.""]

* The part within brackets was not read.

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Then the 22nd August 1885—

“ IRISH NATIONAL LEAGUE OF AMERICA.

“ We print elsewhere the address adopted and issued on Saturday at Chicago by the Executive Committee of the American Branch of the Irish National League. It is a pronouncement, the spirit of which will commend itself to every Irish American who takes an interest in the great struggle now in progress in Ireland. Its struggle is being sustained, with gratifying energy, by the people and their leaders. Its main purpose is to obtain for Irishmen the restoration of the rights of which England robbed them, viz., the right to rule their own country, and possess their own lands. Though, as we have repeatedly said, we are no great admirers of work in a British Parliament, we willingly recognise that Mr. Parnell and his party have done, and are doing good service for their country. As the address of the Executive Committee truly says:—‘ They have driven the party of coercion, the party of judicial murderers, the party of eviction, the party which vainly sought to imprison ideas, when it thrust men into dungeons, the party led by Gladstone, who wrote boastingly of the downfall of the American Republic, into disgraceful retirement from Dublin Castle; and they have shown that while Dublin Castle was the home of so-called English Liberalism, and the seat of tyranny, its unnatural vice and imported English bestiality, made it only worthy of a site in ancient Sodom and Gomorrah, or in modern London.’ In doing this the party of Mr. Parnell has rendered valuable aid to the Irish National cause. By this and other service it has shown that it is entitled to the sympathy and co-operation of Irish Americans; and we hope that both one and the other will be freely accorded to it. All through the address is permeated by the right spirit. The Executive means that there shall be no compromise with Ireland’s enemy; that National independent self-government, and the destruction of landlordism shall be the object of the agitation, and that ‘ sleepless energy ’ shall be the motto in pursuing it. Our heartiest best wishes are with Patrick Egan and his colleagues of the Executive Committee.”

At that time Mr. Patrick Egan was connected with the National League of America?—I believe so.

59,187. The National League of America is according to your statement a Land League working on the same lines as the National League of Ireland?—Yes.

59,188. Then you will agree that supporting the National League of America would be supporting the National League of Ireland?—I should think so, certainly.

59,189. Large sums of money came from the National League of America to the National League in Ireland, did they not?—Oh, yes, undoubtedly; the chief work of the National League in America always was the collection of money for us. It had practically no other work, except that of disseminating information on the Irish question in America.

59,190. I must put this to you in a somewhat general shape, though I will give you the opportunity of verifying it afterwards. I want to put it in a compendious shape to you now. Do you know, one way or the other, that through the columns of the “ Irish World,” week by week, through the years 1883 and 1884, large sums of money are acknowledged as being collected by the “ Irish World ” on behalf of the Irish parliamentary fund?—No, I was not aware of that.

59,191. That is completely new to you?—Quite new; I was under the impression that the “ Irish World ” had collected nothing for us after the close of the year 1883. and I so instructed Mr. Lewis.

59,192. 31st October 1885, there is a letter signed by Patrick Ford in the “ Irish World ”—

“ There are many roads leading to Irish independence, and to honest men travelling each and all of these roads, I wish a hearty God-speed. Parnell’s line of march is one of these roads. The question with me is not whether the Parliamentary plan is the best plan, but whether it is a useful method; and believing as I do, I feel it is my duty to give it my support though I would not endorse it to the exclusion of methods other than Parliamentary. Please find

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“ enclosed my cheque for \$50 for the Irish Parliamentary fund and Believe me
 “ very truly yours Patrick Ford.”

That undoubtedly seems to have been a subscription from Mr. Ford. I was never aware he had subscribed to the National League or the Land League of America.

59,193. Still less, of course, to the parliamentary fund?—Still less to the parliamentary fund.

59,194. That is a complete revelation to you?—A complete revelation to me.

59,195. That is October 1885?—That would, I think, have been after the overthrow of the Liberal Government, and the hopes of getting an Irish Parliament from the Tory party and Lord Carnarvon. I think probably Patrick Ford's action commenced to be moved at the time of the Conservative treaty.

59,196. Is there any utterance in the “Irish World” respecting the interview between Lord Carnarvon and you?—I know of none.

59,197. Did you communicate with Patrick Ford?—No, I never had any communication, not in those years—not since 1881.

59,198. You said just now the statement may be accounted for by the fact of some hope in Ford's mind of getting an Irish Parliament from a Tory Government?—I think so; that is my strong impression.

59,199. Did you ever have any communication with the “Irish World,” direct or indirect, upon that subject?—I have never had any communication with Mr. Ford since 1881, as far as I am aware.

59,200. Can you point to any reference in the “Irish World” directly or indirectly to this supposed interview between you and Lord Carnarvon upon this subject?—I have already said I am not a reader of the “Irish World,” but I shall make it my duty to study its columns most attentively.

59,201. Can you point to any communication respecting what was said to have passed between you and Lord Carnarvon? Did you ever make any communication?—I never made any communication whatever upon any subject to the “Irish World” since 1881.

59,202. Now the 28th November 1885. It is a notice of Patrick Egan's:—

“ TO RECEIVE PARNELL—PRESIDENT EGAN APPOINTS A RECEPTION COMMITTEE.

“ Executive Office, Irish National League, Lincoln, Neb., Nov. 18, 1885.

“ To the National Executive Committee and Members of the League. Mr. Parnell
 “ and his Colleagues of the home delegation are coming to this country as the
 “ guests of the Irish National League of America, and it is now time that steps
 “ should be taken to arrange for a reception worthy alike of the League and our
 “ distinguished visitors. I therefore respectfully request that the following
 “ persons will consider themselves a Committee to act with the President of the
 “ Municipal Council of the League in New York to suitably receive our guests
 “ on their arrival, and to escort them to the National Convention at Chicago.
 “ The several members are:—Rev. Charles O'Reilly, D.D.”

That is the gentleman I referred to before.

“ National Treasurer; Hon. Patrick N. Collins and James Mooney, ex-Presidents;
 “ Mr. Alexander Sullivan, ex-President; Rev. T. J. Conaty, ex-Treasurer Parnell
 “ Fund; Mr. John Boyle O'Reilly, General M. Kerwin, Mr. Patrick Ford, and
 “ Hon. John T. Finerty. Confidently relying on the prompt and effective action
 “ of this committee. I remain, gentlemen, yours faithfully, Patrick Egan,
 “ President.”

Now, the 19th December 1885, “Irish World.” I am only taking this out of one of many acknowledgments or receipts for money. I do it for a particular purpose.

(Sir C. Russell.) I wish you would not refer to it in that way, if you refer to money.

(The Attorney-General.) I will give you the dates of them.

(The President.) I have only got one—that is the subscription of 50 dollars.

(The Attorney-General.) There are a good many others; I asked Mr. Parnell whether or not he knew of them.

(The President.) I have got that.

(The Attorney-General.) I do not propose at present to go through the reading of all these. The particular dates I have at present under my hand are the 3rd October.

(Sir C. Russell.) What is this?

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(*The Attorney-General.*) My Lords, it was not necessary to copy out the page giving the names of the present subscribers, or the amounts. The dates are 3rd October 1885, 31st October 1885.

(*Sir C. Russell.*) I should ask my friend if he relies upon this at all, to let us have them in some detail.

(*The Attorney-General.*) At the present moment I can only give the date; if it be material to get the contents I will undertake to put them in.

(*Sir C. Russell.*) You have spoken of "large sums of money."

(*The Attorney-General.*) And I repeat it.

(*Sir C. Russell.*) Then let us have it.

(*The Attorney-General.*) I will give the dates.

(*Sir C. Russell.*) The dates of what?

(*The Attorney-General.*) Of the acknowledgemnt of subscriptions of the "Irish World."

(*The President.*) Have you not got any one of them?

59,203. (*The Attorney-General.*) The 3rd October 1885; the 31st October 1885; 21st November 1885; 5th December 1885. I will give you the dates first.—The only thing I have to say to those dates is they were all after the date when we had thrown out the Liberal Government and placed the Conservative Government in power, when I think it is possible Mr. Ford may have commenced another of his changes.

59,204. That is all you have to say; the 5th December 1885, I happen to have that. The "Irish World" of 19th December gives this.

(*Sir C. Russell.*) You have not any before October.

(*The Attorney-General.*) I have not got them here. I have got several.

(*The President.*) They, of course, must be produced.

(*The Attorney-General.*) "The following contributions to the Irish Parliamentary Fund have been received since the report of the 21st," and then there is a long list of large sums of money—it had better be got from the paper—and among them Washington Clan-na-Gael 43 dollars and 43 cents.

(*Sir C. Russell.*) Get the paper, please; that does not purport to be from the "Irish World."

(*The President.*) It is important, as I have said, to have one at least of those as a specimen.

(*The Attorney-General.*) I should wish to have them all—5th December 1885.

(*The President.*) This is the 19th December 1885.

(*The Attorney-General.*) I will undertake your Lordship shall have a complete statement.

(*The President.*) I think you had better postpone this then.

(*The Attorney-General.*) That particular part of it certainly. I think, so far as I know, we can deal with that part separately when it arises again.

59,205. Now, Mr. Parnell, I go to another head, entirely different. When did you say you first disclosed the fact of the interview with Lord Carnarvon?—Would you allow me to say, in reference to the "Irish World," before you leave it, that I think I ought to say, my Lord, as an amendment to my statement in my examination-in-chief, that the paragraphs which have been read induce me to modify my statement so far as to say that at times during these years the "Irish World" evidently did speak favourably of myself personally and of my policy, though not in the sense I could desire or approve; and that with regard to the contributions, they appear to have been made after the overthrow of the Liberal Government in the autumn of 1885, when I think it is probable that the "Irish World" commenced to adopt another change of policy and was giving up the dynamite policy. But, of course, my Lord, it will be my duty to attentively study the "Irish World," and to inform my mind as to the matters which I have been cross-examined to.

59,206. Well, Mr. Parnell, I am cross-examining you as to your distinct and positive statements. Now observe this. I repeat the dates to you again. In May 1886, and on the 8th April 1886, and 7th June 1886. "He has been constantly denouncing myself and my policy during these five years." Now I will take the first date. "The terrible 'Irish World' has not been on my side for the last five or six years." That is the 7th June 1886. How, in the face of those distinct statements which appear in "Hansard," do you now allege that there was some change in Mr. Ford's policy because of some interview

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between you and Lord Carnarvon?—There was the change or there may have been the change—I do not positively affirm it—yet there may have been the change not necessarily on account of the interview with Lord Carnarvon, but on account of the overthrow of the Liberal Government, and the placing in power by us of the Conservative Government and the expectations and hopes that we should succeed through Lord Carnarvon in gaining an Irish Parliament by constitutional means, which may have directed Ford's attention again away from dynamite to our constitutional programme. But with regard to my main statement it is, I believe, substantially correct as to the years 1883, 1884, and the beginning of 1885. That was the impression which was made upon my mind by the events of those years at the time. I believe it to have been a correct impression. There may have been and there undoubtedly have been times and moments when Mr. Ford has thought it prudent and necessary to refer favourably to myself personally, and to my policy, but these have been times which I believe can be counterbalanced by the general tenour of the articles in his paper and the general conduct of his paper by the production of many extracts for your Lordships perusal no doubt.

59,207. Now, Mr. Parnell, I do not wish to interrupt you, and I have not done so hitherto, but I must ask you, did you or did you not know of the subscriptions through the paper when you made those statements in April 1886 and June 1886?—I undoubtedly knew nothing about them.

59,208. On what fact which you can now reproduce to me, did you put your statement that you had been constantly denounced—you and your policy—during five years?—The belief that I had formed from what was reported to me and from what I had read in the paper from time to time, and in other Irish-American newspapers.

59,209. Now you say, what you had read. Can you give me any article, or tell me the date of any article?—Oh, indeed I cannot.

59,210. Now I must refer you to one or two others, if you please. With reference now to this statement about Parliament and the possible change, let me refer to the "Irish World" of 26th December 1885.

"We say at once that, while the full measure of Ireland's right, which we at least shall never consent to compromise, is complete national independence, such a Parliament as Mr. Parnell proposes, and as Mr. Gladstone appears to have signified his readiness to concede, would be an immense benefit to Ireland and an enormously valuable instalment of her just claim.

"We frankly admit that such a happy change would be a glorious outcome of the patriotic efforts of Mr. Parnell and his colleagues, and for having accomplished it they would be fairly entitled to the eternal gratitude of the Irish race.

"Already the question, What will be done should England refuse an Irish Parliament? is being put and answered in very plain and candid terms, not only by Irishmen, but by Americans. Peaceful methods are now about to have a full and fair trial. In giving them this trial Mr. Parnell has the sympathy and active aid of the entire Irish race. There is not an organisation of Irishmen or an Irish national paper on the globe that is not thoroughly with him in support of his policy and programme, and that does not earnestly hope that he may succeed to the utmost of his expectations. But we repeat it is the last time that a united Irish race will present Ireland's demand in so-called constitutional form. Let England refuse now, and in every land round the world the cry of free men will go up that the time for parley has gone by and the hour come for stern action."

Yes, I think that that is a very fair illustration of the change that was taking place at this period, owing to the prospect of obtaining a Parliament, in the mind of Mr. Patrick Ford, and in the conduct of his newspaper.

59,211. You know I do not want to argue with you. A series of articles I have read to you extending now from an early date in 1884 down to the end of 1885. What do you mean by saying a change was then coming?—I think the article you have just read plainly indicates a change in the mind of Mr. Patrick Ford with regard to the

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efficacy of the Constitutional movement and his willingness to abandon the use of dynamite and criminal methods. He speaks of giving us a trial, my Lord.

(*The Attorney-General.*) I would propose, my Lord, to produce all the copies that are necessary for making a complete list of the subscriptions and any that have to be referred to can then be put in.

59,212. Now, Mr. Parnell, I go if you please to the point I was about to take up when I remembered I had omitted one or two notices. Your statement to Mr. Asquith, your counsel yesterday and to-day is that you always worked on constitutional methods?—Yes.

59,213. Desired to succeed by constitutional action alone?—Undoubtedly.

59,214. There never had been any union between you and the physical force party?—Not as far as I know.

59,215. From beginning to end?—From beginning to end.

59,216. Therefore any idea of attacking the landlords as an English garrison never entered into your mind at all?—We certainly attacked landlordism and the landlords as an English garrison. They have always in the history of Ireland been known as the garrison.

59,217. That is not my point. I only want your answer one way or the other. I wish to know was it or was it not part of your policy that the landlords were to be driven out of Ireland?—Not necessarily driven out of Ireland as landlords—not necessarily as individuals, certainly not.

59,218. Then you allege that it never did enter into your scheme to combine with the Fenian party, what I call the Nationalist party, the physical force party, for the purpose of driving out the English garrison as a first step to independence?—Certainly never. I have always thought, and I have said so in my utterances publicly and privately for years and years, that the termination of the landlord's interest in the soil, the division of classes which exist owing to the maintenance of the landlord system, would materially facilitate and would remove a very great and formidable obstacle to the obtaining of an Irish Parliament. But I have never gone further either in my thought or my action than the restitution of the legislative independence of Ireland.

59,219. Then it is entirely erroneous to suggest that there was a combination of what I may call the secret and the open movement, by which I mean the open hand League with a certain published policy of the secret movement, namely the Nationalists working together with the Land League: That is entirely a mistake?—It is absolutely false.

(*Sir C. Russell.*) When you use the word "Nationalist" do you mean Fenian?

(*The Attorney-General.*) I really do not think there is any necessity for interruption.

59,220. You heard Sir Charles Russell more than once say in his speech, in the years 1879 and 1880, Nationalist as distinguished from Home Rulers meant the physical force party?—Nationalists as individuals have constantly taken action with reputed Nationalists in our movement.

59,221. I have a letter of your own I may tell you, but you agree with the statement made by Sir Charles Russell that Nationalists as opposed to Home Rulers, whether a party or not, meant the physical force party?—Nationalists up to the date of the formation of the National League were understood to be men who believed in physical force.

59,222. I will not confound the term "Nationalists" after the National League was founded, but I will refer to Nationalists in the sense you have referred to?—But a great number of these men who had believed in physical force came into our movement and gave it a fair trial, believing that it would obtain benefit for Ireland by constitutional means, and I believe that their action was quite honest in the matter, and that they had no *arriere pensée* of any sort.

59,223. Remember I have your distinct answer, that anything like a combination between the two parties you entirely repudiate?—It is absolutely false, either in Ireland, or in England, or in America, so far as I know. I believe to this day the physical force organisation has been consistently hostile to us since 1880.

59,224. Neither in America nor in Ireland has there been any combination between the physical force section and the Land League or National League?—Not the slightest.

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[Continued.]

59,225. Now, Sir, I will take Ireland, for the moment, first. You have referred to Enniscorthy. Except the Enniscorthy meeting, and the disturbance, whatever it was, at the Rotunda meeting, can you tell me of any interference of the physical force party with the Land League in Ireland?—Yes.

59,226. After (we will say) May 1880?—They drove the movement away out of Mayo; in the year 1880 our branches practically ceased to exist there.

59,227. You say they drove the movement away out of Mayo. That is only a general answer?—That is the answer that I received from the organisers at the time, that the movement in Mayo had been suppressed owing to the action of the physical, force party.

59,228. Will you tell me of your own knowledge (by which I mean also anything you can refer to contemporaneous newspapers or anything of that kind) of any act of opposition of the physical force party to the Land League, I will put it, after the year 1880?—I have no doubt I could collect such instances.

59,229. Can you?—These are the two in which I was concerned myself, and they make the greatest impression upon my mind; but I have no doubt I could, by searching through the records of those years, collect such instances.

59,230. It is not a question of searching through. You have made a specific statement, Mr. Parnell. Have you got in your mind, or can you now pledge your word (you know you are giving evidence) to any incident within your own knowledge of opposition in Ireland between the physical force section and the National League or Land League after 1880?—I have no doubt that there have been many such cases.

59,231. Can you give me one?—I have given you the two of which I have knowledge myself, and I daresay that other members of the party will give you their own experiences.

59,232. Do not you know perfectly well both those occurred in the year 1880?—Yes, in the year 1880. You mean after the year 1880?

59,233. You might have the courtesy to listen to my question?—I beg your pardon.

59,234. Can you mention any instance, after the year 1880, in which the physical force party ever interfered with the Land League or National League?—At the end of the year 1880 the Land League had become too strong to be affected by the opposition of the physical force party.

59,235. Then you cannot give me any instance after that time?—I cannot. I ceased to regard the opposition of the physical force party during the year 1881. The Land League movement had then firmly established itself throughout the country, and the opposition of the physical force party, which was very hurtful and very disagreeable and prejudicial to us in the early stages of the movement, when it was struggling for existence, and when we were first building up our power, had ceased to affect us injuriously. I paid no particular attention to it.

59,236. Then whatever the cause may have been the opposition of the physical force party ended sometime in the end of 1880?—I believe they are opposed to us to this day.

59,237. That is not my question, Mr. Parnell, and I think you know it. The active opposition of the physical force party ceased to affect the Land League after sometime in the end of the year 1880?—I will not pledge myself to that, but their opportunities for affecting us were very much less, and their power to affect us was very much less after 1880 than it was previously, and could practically be disregarded by us.

59,238. Will you give me a single instance in which they attempted it after the end of 1880?—I do not call any such example to my mind at present.

59,239. Will you give me a single instance in which, to your own knowledge, or which is recorded, they did it after the Rotunda meeting?—I do not recall any example to my mind. That was the last meeting we held prior to the great Land League movement which sprang up in the autumn of 1880 in consequence of the rejection of the Land Compensation Bill, and neither the physical force organisation nor anybody else could have stemmed that torrent.

59,240. Did you know of the Stephen's faction?—I have heard of them generally.

59,241. Did you know of the Stephen's faction in the year 1880?—I have heard of the existence of the two bodies.

59,242. You say "I have heard." That is not what I mean. Kindly apply your mind to the question. Did you know in 1880 of the existence of the Stephen's faction?

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—I have never known of the existence of the Stephen's faction, or any other faction ; but I have heard that there were the two sections, the I. R. B. section and the Stephen's section, as a matter of common report.

59,243. Had you heard that in 1880?—Scarcely, I think, so early as 1880. I think probably I learnt that later on.

59,244. Was it not communicated to you by Mr. Davitt in 1880 that the opposition was coming from the Stephen's faction?—No, Mr. Davitt never told me about any secret organisation at all, or gave me any information upon the subject.

59,245. I am not upon the secret organisation for the moment. I put it again to you distinctly. Will you swear it was not communicated to you in 1880 that the opposition came from a section only of the Fenian party?—No, Mr. Davitt never communicated any information to me about the Fenians at all, or about their parties or divisions.

59,246. Nor anybody else?—I heard subsequently to that time generally about the existence of this Stephen's party.

59,247. From whom?—I cannot recollect.

59,248. Try now?—I cannot tell you, I am sure.

59,249. You know it is a secret organisation, and you recollect hearing of the Stephen's faction generally?—I should think I heard about it in the newspapers.

59,250. You do not recollect hearing from anybody else?—I do not recollect any particular person I heard about it from.

59,251. When you left Cork to go to America, in 1879, where you met at Queenstown as you were going to America. Did you go from Queenstown?—From Queenstown, yes.

59,252. Were you met there by a prominent Nationalist?—I do not recollect. It is possible that many prominent Irishmen may have met us. Whether they were Nationalists or not, I did not know at the time, and cannot call to mind.

59,253. I must ask you to search your memory a little please. Were you met by a prominent Nationalist who denounced to you your agitation, and said he should oppose it?—I do not recollect. It is possible.

59,254. Will you swear that?—It is possible I may have been so met.

59,255. Try and think?—If you give me the name of the man, I may be able to remember him.

59,256. I have a reason for not mentioning the name of the man at present, please. Do you or do you not remember the incident?—I do not recollect anybody denouncing me when I was leaving for America. Everybody seemed to be very friendly.

59,257. I did not say denouncing you. I said, were you not met by a prominent Nationalist at Queenstown, who told you that he should as a Fenian oppose your Land League policy?—I do not recollect such a circumstance as that at all.

59,258. Were you met by the same individual on your return from America?—I do not recollect it. You have not told me who the individual is, and I really cannot answer. I do not recollect any incident or conversation such as you suggest. I shall be very glad to answer you as to whether I ever met so-and-so.

59,259. Were you told by the same man, a Nationalist, on your return from America that he would now support you?—I do not recollect any such incident.

59,260. Do you mean you pledge your word nothing of the kind happened?—I do not say that I pledge my word to this or that with regard to a conversation with a person who is not named, but I tell you that I have no recollection of such an incident at all.

59,261. It is a matter which I would suggest to you would have impressed itself upon your mind within an interval of four months, that is to say between, I think, December 1879 when you started, or November 1879 when you started, and March when you came back, that the same individual should have seen you with reference to the policy at the same place?—No, I do not recollect meeting anybody of that kind on my way back or going out to America, at my starting or my returning.

59,262. Did you know Mr. Doran?—I knew him. I know of him very well.

59,263. Was he a Fenian?—He was by repute. He was said to be.

59,264. Did you see him?—I do not recollect him.

59,265. Will you swear you did not?—Oh no, I think it is possible I may have seen him, but I do not recollect Mr. Doran.

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59,266. Will you swear that he did not have with you the conversation to the effect which I have put, upon your going out to America?—I do not recollect such a conversation, but if Mr. Doran says he had such a conversation I should be disposed to believe him.

59,267. Will you swear it did not take place?—I think I have given you a fair answer, that if Mr. Doran says I held such a conversation as that with him I should be disposed to believe him, but I have no recollection whatever of it.

59,268. Did Mr. Doran meet you on your return at Queenstown?—I do not recollect Mr. Doran coming to meet me on my return.

59,269. Or seeing him. Did you land at Queenstown when you came back?—I landed at Queenstown when I came back.

59,270. Do you recollect seeing him on the occasion of your landing?—I do not recollect Mr. Doran either going out or coming back, but it is possible he may have been there upon both occasions.

59,271. Will you undertake to say that Mr. Doran did not (I will put some other Nationalists possibly in a moment) tell you he had changed his attitude with reference to the movement since you had been in America?—No; I do not recollect Mr. Doran or any conversation with him at all; but I should doubt very much if Mr. Doran has changed his attitude.

59,272. Or any Fenian leader?—Or any Fenian leader, as far as I know.

59,273. Now, Mr. Parnell, you had been to America before 1879, I think?—I had been to America in 1877, I think it was.

59,274. Before that, too, had not you?—And in 1873.

59,275. You had had two previous visits to America?—Yes.

59,276. 1873 and 1877?—Yes. I went about my own business on those previous visits.

59,277. Then I may take it that on the 1873 expedition (to dispose of it) you did not see any prominent Nationalist, as far as you know?—No. I did not mix with the Irish people of America. I had not gone into politics at that time.

59,278. Then I may take it I can dismiss that expedition to America. You answer my question in the affirmative, that as far as you know, you did not see or have anything to do with any prominent Nationalists upon that occasion?—No, I was simply going about in society on that occasion.

59,279. In 1877 who did you go with?—In 1877 I went by myself to America, I think, with one of my sisters.

59,280. Did Mr. O'Connor Power go on that occasion?—He came out afterwards.

59,281. Can you tell me whether you saw any Nationalists in America in 1877? I am referring to it in the sense of being introduced to them and knowing them.—No, I cannot recollect any Irishman in 1877 except General O'Byrne at Washington, whom I met when I was down there.

59,282. Then I may take it that for the purpose of getting a connected story of the matter, you did not see in your expedition in 1879 any persons whom you knew as Irish Nationalists in 1877?—No, you may take that as correct according to my recollection.

59,283. Did you take out letters of introduction?—No, I did not.

59,284. None at all?—No, I took out no letters of introduction so far as I can recollect.

59,285. Are you sure?—Well, I am as sure as one can be of a thing which happened 13 or 14 years ago.

59,286. Did you know Mr. Nolan?—Mr. Nolan I did not know. I knew of him.

59,287. I am speaking of 1879 now?—I beg your pardon.

59,288. Did you take out letters of introduction in 1879?—I do not recollect. I think not. I think it is almost certain I did not.

59,289. Did you know Mr. Nolan?—I think I must have met Mr. Nolan in 1879 amongst many others.

59,290. My friend, Sir Charles Russell, interposes, "Who is Nolan?" I mean Mr. Joseph Nolan, the member for Louth, I think? No, I did not know Mr. Joseph Nolan then at all.

59,291. When did you first see him?—I first saw Mr. Joseph Nolan in the autumn of 1885.

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59,292. No knowledge of him at all?—Not the slightest.

59,293. You are quite clear about it?—I thought you were referring to Mr. Nolan of the Amnesty Association. He is a different person.

59,294. You did not know this Mr. Nolan, the member for Louth, at all?—No, I did not know Mr. Nolan, the member for Louth, till the general election was coming on in 1885.

59,295. Now Mr. Davitt had been in America in 1878?—I believe so.

59,296. You knew that, did not you?—I believe so.

59,297. Did you see him before he went?—I undoubtedly saw him frequently in the interval after he was released, and when he went out to America.

59,298. We know he was released, if I remember right, in December 1877?—Yes, just towards the end of 1877 or the beginning of 1878.

59,299. And he went to America roughly about the middle of 1878?—Probably he did. I have not the exact date in my mind.

59,300. October 1878. Did you know what he was going for?—No; he did not tell me he was going, or consult me at all about his going.

59,301. Then I understand you to say, Mr. Parnell, that you did not know the object of Davitt's mission?—No.

59,302. Either directly or indirectly?—No, not at all, so far as I recollect.

59,303. He did not discuss any question of combination of the various sections of the Irishmen in America or elsewhere with you before he left?—Oh, no.

59,304. Do you remember him sending home any telegraph or communication to you in November 1878?—No, I do not recollect such a communication.

59,305. Do you remember the resolutions which begin with the words "The Nationalists here will support you on the following conditions." I will read them through to you, and just refresh your memory: "Abandonment of the federal demand" and substitution of a general declaration in favour of self-government; vigorous "agitation of the land question on the basis of peasant proprietary" (*&c.*, *reading the resolutions*). Do you remember receiving those resolutions?—No, I do not recollect that cable. I recollect that such a cable was published some time afterwards. I think that is not a cable from Mr. Davitt.

59,306. Who do you think it is a cable from and to?—I think that is a cable from Mr. Devoy.

59,307. Who to?—It is a cable supposed to be to me, or for me.

59,308. Did you receive it?—I never received it.

59,309. That you are sure?—I am as sure as I can be of anything.

59,310. I have a reason for asking you. You did not receive any communication in 1878 from either Davitt or Devoy?—No. I think the history of that cable is that it was sent to some person in Dublin, either to Davitt or somebody else, or to Mr. Egan, for submission to me, and to be published as having been sent to me if the person to whom it was sent in Dublin thought proper, and that they did not think it proper to submit it to me, and it never was. That is my belief.

59,311. That is perfectly proper but not the point of my question. Whether you received it or not, whether sent to somebody to show to you or not, I call your attention to this, that "The Nationalists here will support you on the following conditions." Do I understand you to say before Mr. Davitt went out you had no idea that he purposed to have any negotiation with any American Nationalists at all?—Not the slightest.

59,312. Then if there was any arrangement made the scheme was evolved by Mr. Davitt out of his own brain as far as you knew before 1879?—I do not admit that any such scheme as that which you represent was evolved out of Mr. Davitt's brain or anybody else's brain.

59,313. You are not following me, Mr. Parnell.

(*The President.*) He says he knows nothing about it.

59,314. (*The Attorney-General.*) Whatever scheme there was, if there was one in 1878, you had nothing to do with it prior to Mr. Davitt's going out?—No.

[Adjourned for a short time.]

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[Continued.]

59,315. Mr. Parnell, I wish as far as I possibly can to avoid going back, therefore I remind you that you said just before the adjournment that you knew nothing at all about Mr. Davitt's plans before he went to America?—No, not so far as I can recollect.

59,316. You say not so far as you recollect. It is an important matter with reference to your previous evidence. Did you know Mr. O'Leary at that time?—Mr. John O'Leary, yes, I knew him.

59,317. How long had you known Mr. John O'Leary?—I think from 1877, I had seen him occasionally during those years.

59,318. Did not you have a meeting to discuss the question of action with Mr. Davitt and Mr. John O'Leary before Mr. Davitt went to America?—No, I do not recollect such a meeting as that.

59,319. Will you undertake to say that nothing of the kind took place?—No, I will not undertake to say that I did not meet Mr. Davitt and Mr. O'Leary together, but I do not recollect it.

59,320. Did not Mr. Davitt then, at that meeting, propose to you or explain to you what he proposed with reference to the Nationalist combination in America?—I have already told you I do not remember any such meeting.

59,321. I must put it to you, Mr. Parnell, will you undertake to say he did not?—I have already told you that I have no recollection of it.

59,322. Was Mr. O'Leary a supporter of Mr. Stephens?—Not so far as I know.

59,323. Did not you know that Mr. O'Leary was a member of the "Open Warfare" section?—That is not my opinion, it may have been so, but that is not my impression.

59,324. Do you not know now that Mr. O'Leary was a supporter of the Stephen's section?—I should think not, not now or at any other time.

59,325. At that interview did not Mr. O'Leary decline to join with Mr. Davitt in his proposal that there should be negotiations with the Nationalist in America?—I do not recollect any such circumstance.

59,326. Will you undertake to say that did not take place?—A proposal that there should be negotiations with the Nationalist in America?

59,327. I must repeat myself, after Mr. Davitt had explained the policy of opening negotiations with Nationalists in America on the basis of the land agitation, did not Mr. O'Leary decline to join it?—I never heard from Mr. Davitt anything about opening up negotiations with the Nationalists in America, either in America or elsewhere.

59,328. I put to you the place of meeting, in Craven Street, Strand?—No.

59,329. Did you ever have a meeting in Craven Street, Strand, with Mr. O'Leary?—I may have met Mr. O'Leary in Craven Street, Strand, but not at that period.

59,330. Does Craven Street, Strand, bring back anything to your mind? What was it; I mean what house or room?—Because I recollect I met Mr. O'Leary frequently in London.

59,331. In Craven Street, Strand, is what I put to you?—I may have spoken to him in some street in the Strand where a man in Mr. O'Leary's position, a stranger in London, would be likely to have lodgings in London.

59,332. Did you meet him in Craven Street, Strand?—I have no recollection.

59,333. You have no recollection of any meeting with Mr. O'Leary and Mr. Davitt in Craven Street, Strand?—I have no such recollection. My recollection is I did not meet Mr. O'Leary in Craven Street, Strand, but in some other street.

59,334. What street?—I cannot tell you at all.

59,335. At Mr. O'Leary's rooms, or what?—Well, that I do not know, either at Mr. O'Leary's rooms or at the house of some friend of his.

59,336. Try and recollect?—I have not the slightest recollection. I recollect having a meeting with Mr. O'Leary to the best of my belief some time in 1877.

59,337. I am putting to you 1878?—In some street off the Strand; and I have also met Mr. O'Leary at other places.

59,338. With Mr. Davitt?—Not to the best of my recollection with Mr. Davitt; Mr. Davitt was not released at that time; it was prior to Mr. Davitt's release.

59,339. I am speaking of after his release?—I do not recollect any such interview, and I do not believe it ever took place.

59,340. Did you follow Mr. Davitt's speeches in America or not?—Oh! I am sure I did not.

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59,341. I want to get the fact, that I may pass on. I understand you say distinctly that you did not at that time follow what Mr. Davitt was doing in America, as reported in the papers?—By no means.

59,342. Then I go at once to the beginning of 1879; you were ignorant, to what extent, if to any extent, negotiations with the Americans, or the American party and Mr. Davitt had gone on?—Entirely, if there were any negotiations.

59,343. Do you know now what passed in America from Mr. Davitt or from reports in the papers—between Mr. Davitt and anybody in America?—I cannot say that I do.

59,344. Do you know whom he saw?—I assume that he saw the men whom he knew best out there.

59,345. You know as well as possible that that is not an answer to my question the least in the world. You assume he saw the men he knew best out there. Just to try and save time, apply your mind to the questions?—He has never told me, and I do not know whom he saw.

59,346. Do I understand you to say that you do not know now whom he saw?—I do not know, but I assume that he saw Mr. Devoy and others.

59,347. Anybody else?—I do not know.

59,348. Try and recollect. So far as your recollection goes, or from information given to you, was there anybody else that he saw besides Devoy?—I should think he saw many hundreds, perhaps thousands.

59,349. Do you mean to say that you know of nobody else that he saw except Devoy?—I do not know that he saw Devoy, but I assume that he did from that cable which was sent to Mr. Davitt, or to Mr. Egan, that you read just now.

59,350. Do you mean the cable which was sent which I read just before the adjournment?—Yes.

59,351. I am not referring to hundreds or thousands of people he met in the street, but to prominent Nationalists. Do I understand you to say you do not know now from any source, from either newspapers or Mr. Davitt, whom he saw when in America in 1878?—No, certainly not; but I think very likely he was in communication with prominent Nationalists in America during that period.

59,352. Are you acquainted with the correspondence which took place, which has already put in from the “Nation” newspaper?—I cannot say I am; I do not think I have seen the correspondence.

59,353. I may take it you have not, at any rate, present in your mind the story of what took place in America as recorded in the correspondence of the “Nation” newspaper?—Do you refer to the “Nation” newspaper of New York or of Ireland?

59,354. The “Nation” newspaper of Ireland?—I do not think I have seen that correspondence; at least I have no recollection of it.

59,355. If that is so I will not cross-examine you upon it. We will pass to the beginning of 1879?—Possibly, if you showed me the correspondence, I might be able to recollect it.

59,356. My whole object in putting the question to you was to try and see whether or not you now remember the names of the persons whom Mr. Davitt was in communication with in America in 1878? No, I had not heard the names, so far as I can recollect.

59,357. Now, 1879. Did you see any leading Nationalist in the beginning of 1879?—I saw many leading Nationalists. I do not recollect any in particular.

59,358. Anyone from America?—Not anyone from America.

59,359. Are you quite sure?—Yes, I am quite sure.

59,360. Did you know that John Devoy was in Ireland at the beginning of 1879?—I heard it afterwards.

59,361. Did you know it at the time?—Not at the time.

59,362. That you swear?—I believe so.

59,363. Forgive me, it is not a question of your believing so. Will you undertake to say you did not know at the time that John Devoy was in Ireland?—Not in 1879.

59,364. How soon afterwards?—I may have heard so shortly afterwards.

59,365. What do you mean by shortly afterwards?—I really could not tell you.

59,366. Did you know in the year 1879?—I am inclined to think I did not know,

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or did not hear that Mr. Devoy was in Ireland in 1879 until after he had left the country.

59,367. Will you pledge your word to that?—I believe that that is accurate.

59,368. Did you see him?—No, I did not see him.

59,369. You are sure?—Quite sure, not in 1879.

59,370. You did not see Mr. Devoy there at the end of 1878 or in the year 1879?—I did not see Mr. Devoy after Mr. Davitt's release from prison.

59,371. That is my point. Did you know Mr. Devoy before?—Yes. I had met him before.

59,372. Where?—I had met him in London; in 1877, I think it was.

59,373. Did you know he was a Fenian?—Yes; I have always known that, that is to say, I have known he was imprisoned for Fenianism, and he was a man of advanced revolutionist ideas who believed that Ireland could only be benefited by physical force, and by fighting England in the open field at that time.

59,374. You spoke yesterday to your having an interview with Mr. Davitt, when he unfolded his plan to you, and your raising some objection because of a warning previously given to you by the late Mr. Butt. You remember that incident, which you referred to yesterday?—Yes, that we might be held responsible.

59,375. I understand. What date do you give for that?—The interview with Mr. Butt?

59,376. No, the interview with Mr. Davitt—in the beginning of 1879?—In the beginning of 1879, it would have been some time prior to the formation of the Land League, but I could not give you any specific date.

59,377. That is October 1879. You must be a little more precise than that. You stood upon the same platform with him at Westport. I have to come to that directly; on the 9th of June, I think, that is about the date; was it before you went down to Westport that Mr. Davitt had explained his plan to you or not?—I think it is possible that we have had many discussions upon the question.

59,378. I am not asking you whether it is possible that you have had many discussions. Kindly apply your mind to my question. You referred to a specific interview at which Mr. Davitt expounded to you his plan of the Land League, and you expressed your unwillingness to join, because of the caution given you by Mr. Butt. Did that interview take place before the Westport meeting or not?—I do not know that there was any specific plan propounded about the Land League at that particular interview. Mr. Davitt spoke with regard to the desirability of a combined social and political movement, a movement that would interest the tenant farmers by directing attention to their condition, and proposing remedies for their relief; and a movement which at the same time would interest the Irish nation at home and abroad in the direction of the restitution of an Irish Parliament. We must have had many conversations upon this subject, and I am not at all sure that I did not more than once put these objections, and other objections which occurred to me at the time, before Mr. Davitt.

59,379. I am afraid it is no use of my asking you to give a plain answer to a plain question, but I must press my question. Did Mr. Davitt explain to you a plan, or make a statement as to the Land League before the Westport meeting or not?—Undoubtedly, he explained his views to me before the Westport meeting. When I went to the Westport meeting I went with the intention of supporting Mr. Davitt's views on the land question so far as they were conformable with mine.

59,380. How early in 1879?—I could not give you any date, this conversation must have been more than once, and on more than one occasion.

59,381. Did Mr. Davitt see you in the presence of a prominent American Nationalist in order to discuss the matter?—I do not recollect.

59,382. Will you swear he did not?—I will not say that.

59,383. Do you remember the name?—You have not put any name before me.

59,384. I did not say I had. Do you recollect the name?—I do not remember the name of any prominent American Nationalist.

59,385. I am speaking of the inception of the Land League?—Yes.

59,386. And of Mr. Davitt's endeavouring to get you to join?—Yes.

59,387. What I desire to know is this. Did or did not Mr. Davitt explain his plan to you in the beginning of 1879 in the presence of a prominent American Nationalist?—I do not recollect his explaining to me in the presence of any American Nationalist.

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[Continued.]

59,388. Will you swear he did not?—I can to the best of my recollection.

59,389. You must go further than that?—I decline to go further than my recollection.

59,390. You would not forget a meeting at the beginning of 1879 at which Mr. Davitt discussed the Land League in the presence of an American Nationalist?—I might or might not, I have no recollection of such a meeting.

59,391. Will you pledge your word that such a meeting did not take place?—I have told you I cannot go beyond my recollection. My recollection is that no meeting took place.

59,392. Will you swear it did not?—I have answered that.

59,393. Are you quite sure it was not with Devoy?—I am quite sure. In my recollection no such meeting took place.

59,394. That you did not see Devoy and Mr. Davitt?—Not Devoy and Mr. Davitt together at this time.

59,395. You say you heard later on of Devoy having been in Ireland—for what purpose?—Well, I was not informed as to his purpose.

59,396. Did you see the “Nation” letters that were published in the end of 1878 and the beginning of 1879, purporting to be signed by John Devoy?—I have no recollection of those letters.

59,397. Then your recollection, Mr. Parnell, is that you knew nothing of the correspondence going on in the newspapers, the statements made, signed by John Devoy, spoken of as the “New Departure”—I do not wish to read them at length, they have already been put in—do you really represent that?—Not at this time.

59,398. When did you see them first?—I could not tell you. I might have seen them two or three years afterwards.

59,399. But you must kindly answer me to the best of your ability this distinct question; will you pledge your word that you did not see what I will call the “new departure letters,” signed by Devoy in the beginning of 1879?—To the best of my belief I did not see them.

59,400. And Mr. Davitt never explained them to you?—No, Mr. Davitt never alluded to them.

59,401. He never mentioned Devoy’s name?—Oh, yes, Mr. Davitt has spoken to me about Mr. Devoy.

59,402. Did Mr. Davitt mention to you Devoy as being one of the persons with whom he was arranging plans?—No, I cannot say that he did.

59,403. Will you swear that he did not?—I certainly would not.

59,404. Just think for a moment. This land agitation, in respect to which we now know you went to America very soon after it was formed, and in respect of which, as a matter of fact, Mr. Davitt had been in America in 1878, is your representation to my Lords that your mind is a complete blank as to whether or not Mr. Davitt discussed Devoy’s connexion with the matter with you or not?—My recollection is that Mr. Davitt made no mention to me at that time, and prior to my visit to America, of his discussions with Devoy about the land question.

59,405. And that you had no knowledge of them?—That I had no knowledge of them.

59,406. In complete ignorance; that is your recollection, which you desire to present to their Lordships as being the state of your mind in the beginning of 1879?—Yes, prior to Mr. Davitt’s visit to America.

59,407. Pardon me; Mr. Davitt’s visit to America was in 1878?—Yes.

59,408. I have been cross-examining you for the last five minutes about the beginning of 1879, which is after Mr. Davitt’s visit to America?—Yes.

59,409. Do not let me mislead you. I ask you then, do you mean that prior to what I will call Mr. Davitt’s second visit to America, which was in the year 1880, that you had no knowledge of the Devoy connexion?—I had no knowledge of Mr. Devoy, except in a general way, that he was interested in this movement.

59,410. I did not say knowledge of Mr. Devoy in a general way—that you had no knowledge that Devoy and Davitt had been arranging this plan together at all?—Certainly not.

59,411. When you heard of Devoy having been over, did you know what he had come for, or were you told what he had come for?—No, I was not told what he had come for.

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[Continued.]

59,412. What was the name which the Fenian organisation would be known to you at that time by—the Fenian Organisation, or United Brotherhood, or what?—I do not know whether Mr. Biggar had told me the name of the Fenian organisation. He told me the name of the Supreme Council in 1877. I do not know whether I knew the name of the I.R.B. at that time. It was possible I did.

59,413. Of the Irish Republican Brotherhood?—Of the Irish Republican Brotherhood.

59,414. When you found Devoy had been in Ireland, and you say in a general way he may have had some connexion with this scheme, did you make any inquiry as to whether Devoy had left the I.R.B., or anything of that kind?—No, I never made any such inquiry.

59,415. Did you make any inquiry as to Devoy's connexion with this scheme or the I.R.B.?—I never made any inquiry as to his connexion with either the scheme or the I.R.B.

59,416. Did you at all ascertain from Mr. Davitt who was joining with him in Ireland?—Mr. Davitt desired the whole Irish people to join him.

59,417. If you think that is an answer to my question, of course, I will pass on—their Lordships will judge of that. Did you ascertain from Mr. Davitt who were joining him as being active agitators in the land agitation?—I do not recollect that Mr. Davitt ever mentioned any names to me.

59,418. Who was on the platform at Westport?—I do not recollect.

59,419. Now, Mr. Parnell, if you please, do I understand you to suggest to their Lordships that it was a matter of no importance, with reference to this constitutional agitation which you were about to start, whom your immediate associates were?—Undoubtedly it was a matter of importance.

59,420. Did you know the Nallys at that time?—Yes, I have already stated I met the Nallys in 1877 or 1878.

59,421. Did you know them as Fenians?—No, I did not know them as Fenians then.

59,422. When did you first know that the Nallys were Fenians?—I first knew the Nallys were Fenians when I heard the Land League had been driven away out of Mayo, and that the Nallys had assisted in driving it away. At least I first heard that they were Fenians—

59,423. According to you that was sometime in 1880. Do you represent you never knew of the Nallys as Fenians before 1880?—No, certainly not.

59,424. You have thought fit, and you have said something with reference to the two Nallys—with reference to their character or what has been proved respecting them. Do you know at all on how many platforms—I will take J. W. Nally, Scrab Nally as you call him—at how many Land League meetings J. W. Nally has spoken?—I have not the slightest knowledge.

59,425. Have you ever directly, or indirectly, in speech or in publication repudiated J. W. Nally?—Never.

59,426. Or P. W. Nally?—Well, I have spoken of P. W. Nally as his character merits.

59,427. I am speaking not of speaking of their merits but of repudiating their utterances?—I beg your pardon; J. W. Nally is the one called “Scrab,” I think.

59,428. I said so?—P. W. Nally I have never repudiated.

59,429. Or J. W. Nally?—Or J. W. Nally, except to point out that he could not be considered *au sérieux*.

59,430. Will you point to any speech of yours or to any of your public utterances, in writing, where you have repudiated any of J. W. Nally's utterances?—I never heard of any of J. W. Nally's utterances.

59,431. Do you know now at how many Land League meetings with Mr. Davitt, and other prominent organisers, Nally has attended?—I have not the slightest notion. They might be 100 or they might be a dozen.

59,432. Do you remember Nally's speech being given in evidence on the State trials?—Which do you allude to?

59,433. J. W.—Scrab Nally?—Scrab Nally; yes, I do indeed, but Scrab Nally was never an organiser of the Land League. You are mistaken there. He was simply a drunken poor creature who went about and tried to get in at the tail end of the meetings and make some disjointed utterances to the crowd, but nobody ever treated him seriously or as being of any importance.

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59,434. Will you produce, if you can, any speech of yours reported in any newspaper or any utterance of yours in writing in which you have either repudiated or attempted to discount anything that J. W. Nally said?—I have never paid any attention to J. W. Nally's speeches except those that I heard when the learned Attorney-General asked me just now whether I had ever repudiated Nally's speeches and I said that I had never heard any of Nally's speeches. I understood the question was directed to Mr. Patrick Nally.

59,435. I put Mr. J. W. Nally—Scrab Nally—most distinctly?—Of course I have heard extracts read at the State trials from Scrab Nally's speeches, and I thoroughly disapprove of those speeches, but that is all I know about them.

59,436. Whether you thoroughly disapprove of them now or not, have you ever expressed your disapproval of J. W. Nally's speeches in any of your public utterances in Ireland which you can refer me to down to the present time?—I do not think so; I think I have had something very much more important to do. I disapprove of his speeches now, and I strongly disapproved of them then.

59,437. The first actual meeting you attended was the Westport meeting on the 8th of June; did you know Matthew Harris before that?—Yes, I had known Matthew Harris for some years previously.

59,438. Did you know he was a Fenian?—I did not.

59,439. Do you represent, Mr. Parnell, that you had no knowledge whether Matthew Harris was connected with the Fenian organisation?—I had no knowledge whatever.

59,440. Did you ever inquire?—I never asked.

59,441. Louden—did you know him?—Louden I knew during the Land League movement; since the commencement of the Land League movement.

59,442. Before that?—Not before.

59,443. Was he a Fenian?—Not to my knowledge. I do not think so.

59,444. Do you say that?—I never heard that he was. I do not believe that he was.

59,445. Moran—did you know him?—No, I never heard of him.

59,446. Malachi Sullivan—did you know him?—I knew him, and he was a sort of white elephant.

59,447. Whether he was a white elephant or not, was he a Fenian?—I do not know, I am sure. I think it is very possible that he was.

59,448. John Welch, of Balla?—Yes, I knew John Welch, of Balla, very well.

59,449. Was he a Fenian?—I do not know.

59,450. Had you anything to do with the getting together of these people who went down to speak at Westport, or did you leave that to Mr. Davitt?—I had not the slightest. I was simply invited to attend the meeting. I promised to attend it, and I did attend it.

59,451. Then I understand up to this time no part of the organisation, whatever it was, had been carried on personally by you?—None whatever. You will excuse me for saying that there was no organisation at this time except the organisation in the county of Mayo—of the Mayo Land League.

59,452. You must excuse me for saying that that is a matter of opinion and argument. Your view is that there was no organisation. I will deal with that later on. I have not the least objection to your saying it. The question of when the organisation began is a matter of opinion?—I am speaking of the Land League. That was not formed until the 13th October.

59,453. You mean the formal enunciation of the declaration of the policy of the Land League was not until October?—The first step to form the Irish National Land League.

59,454. As you put that upon me, have you not yourself more than once referred to the Land League movement as the movement started by Mr. Davitt in Mayo in April, 1879?—Undoubtedly that was the first time that the principles of the Land League were enunciated, and the organisation of the National League was formed, which, as I have already explained to their Lordships, was the precursor of the Land League of Ireland, but I had not anything to do with the organisation of the Land League in Mayo whatever.

59,455. I quite understand that, but do you now represent that prior to the Imperial Hotel meeting, there was no attempt at organisation at all?—Outside of Mayo and for a long time afterwards as far as I know.

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[Continued.]

59,456. There was organisation which was confined to Mayo—that is what you mean?—I believe that is so.

59,457. I want you to listen to the “Freeman’s Journal” report of Mr. Davitt’s speech at the Westport meeting. Do you happen to have got the letter of the Archbishop of Tuam to which you referred in your speech—I think it is the Archbishop?—No, I am afraid it must be in the “Freeman’s Journal” a day or two before that.

59,458. I would just like to read that; you referred to it in chief, and I think it had better be read. The letter to which you referred in your evidence in chief in your speech I understand to be a letter from the Archbishop of Tuam?—Yes.

59,459. 7th of June 1879—that is the letter to which you referred, I think in your speech—it was read by Mr. Asquith yesterday.

(*Sir C. Russell.*) I do not want to interpose, but a passing reference to the letter of the Archbishop—does that make it admissible, my Lord.

(*The President.*) I do not remember in what way it was introduced.

59,460. (*Sir C. Russell.*) It makes a passing allusion to the letter of the Archbishop of Tuam?—I wrote a letter about it also.

(*The Attorney-General.*) It is with reference to the statement made to-day as to the non-existence of organisation.

(*The President.*) It seems scarcely necessary to introduce the whole of the letter of the Archbishop.

(*The Attorney-General.*) It is very short, my Lord.

(*The President.*) I do not remember in what terms the reference was made.

(*Mr. Asquith.*) It is at page 3882, my Lord.

(*The Attorney-General.*) I wish to refer to a letter of his Grace the Archbishop of Tuam, which appeared in the “Freeman’s Journal.” I propose to read with your Lordships’ permission a very brief letter which is referred to by Mr. Parnell in that speech published in the “Freeman” of the 7th of June.

(*Sir C. Russell.*) Your Lordships will find the reference at the top of page 3882.

(*The Attorney-General.*) My Lords, I will say I propose at once to make this evidence, even if it had not been referred to, and even if he did not see it in such a way as he admitted he did see it, and refer to it, according to his present statement.

(*Sir C. Russell.*) If you have no objection to the reply being read I shall not object.

(*The Attorney-General.*) I shall not exclude anything which Mr. Parnell is entitled to have put in. It is dated:—

“ Westport, June 5.

“ Dear Sir,—In a telegraphic message exhibited towards the end of last week
 “ in a public room of this town, an Irish member of Parliament has unwittingly
 “ expressed his readiness to attend a meeting convened in a mysterious and dis-
 “ orderly manner, which is to be held, it seems, at Westport on Sunday next. Of
 “ the sympathy of the Catholic clergy for the rack-rented tenantry of Ireland, and
 “ of their willingness to co-operate earnestly in redressing their grievances, abun-
 “ dant evidence exists in historic Mayo as elsewhere. But night patrolling, acts
 “ and words of menace, with arms in hand, the profanation of what is most sacred
 “ in religion—all the result of lawless and occult association, eminently merit the
 “ solemn condemnation of the ministers of religion as to directly tending to impiety
 “ and disorder in church and in society. Against such combinations in this
 “ diocese, organised by a few designing men, who instead of the well-being of the
 “ community, seek only to promote personal interests, the faithful clergy will not
 “ fail to raise their warning voices, and to point out to the people that unhallowe
 “ combinations lead invariably to disaster and to the firmer rivetting of the chains
 “ by which we are unhappily bound as a subordinate people to a dominant race.
 “ I remain, dear sir, faithfully yours,

“ JOHN, ARCHBISHOP OF TUAM.”

That is the letter to which you referred?—Yes.

59,461. Now, Mr. Parnell, I wish to read Mr. Davitt’s speech from the “Freeman’s Journal” which was made in your presence:—

“ Mr. Michael Davitt, one of the released prisoners proposed the first reso-
 “ lution. He said it had been his lot in a chequered career, to have had the
 “ pleasure of addressing Irishmen everywhere, but never did he feel such pleasure

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“ as on the present occasion, when he addressed his countrymen and was asked
 “ to propose to them—

“ “That whereas all political power comes from the people, and that the
 “ ‘people of Ireland have never ceased to proclaim their right to autonomy, we
 “ ‘hereby reassert the right of our country to self-government.’ They were asked
 “ to define what they meant by self-government for Ireland.

“ (*A voice.*) We will have total separation.

“ Mr. Davitt continued to say that he was so identified with the principle
 “ of nationality, that it was not necessary for him to define to them what he
 “ meant by self-government.”

I will pause to save going back again—Mr. Davitt’s being “identified with the principle of nationality,” had been shown previously by his being a Fenian?—Undoubtedly.

95,462. And that Mr. Davitt had been a Fenian was pretty well-known in Ireland?—Undoubtedly, that he had been a Fenian, we all knew or believed he had been.

59,463. [*Continuing reading.*]

“ He would venture to say that there was no Mayo-man there who would
 “ tell him as a man who had been imprisoned, that he had done anything for
 “ which he should apologise before that meeting. He would not, in the presence
 “ of the gentlemen upon that platform, commit them nor the meeting by giving
 “ his definition of the resolution, and would content himself by leaving it to
 “ those present to draw their inferences from it. They were there to proclaim
 “ what was proclaimed in a different way a hundred years ago. A race of savages
 “ on the continent of Africa were now showing their right to that principle which
 “ was as strong in the Irish heart to-day as it was years ago. Various opinions
 “ existed as to whether they should demand their full right of Irish Independence
 “ or ought to accept some different or medium measure. He (Mr. Davitt), as an
 “ Irish Nationalist, could not retreat one inch from the position he took up when
 “ he represented his right to independence. He called upon the Irish farmers to
 “ unite. He had no confidence in the English members who pretended to have
 “ sympathy with Ireland. They had expressed that sympathy by oppression,
 “ and now, because they could not wipe them off the face of the earth, they were
 “ compelled to show a little attention to Irish questions. Why did they do this?
 “ Because Mr. Parnell had succeeded in blocking the machinery of the English
 “ House of Commons.

“ (*A Voice.*) Bad luck to it.

“ (*Mr. Davitt.*) They were there to denounce the landlord system, which was
 “ like a millstone around the neck of Ireland. They should leave this meeting
 “ condemning not an individual case but the system itself. It was imposed upon
 “ them by the English Government, and the landlords were only filling a terri-
 “ torial garrison. When the day came for the settlement of this question the
 “ Government’s duty would be to compensate the Irish landlords. The people
 “ would depend upon themselves for the settlement of the Irish land question, and
 “ not upon the Irish Parliamentary Party. As regarded that party he believed
 “ they could count upon their fingers the honest men. If they resolved that they
 “ should organise and combine to defend each other in their interests, then they
 “ would find the land question settled within a shorter time than was used in
 “ useless legislation. Do not allow anybody, no matter (he now spoke of the
 “ clergy with respect) what the cut or colour of his cloth may be, to use the
 “ present agitation, or to use them, in order that their personal grievances may be
 “ remedied. At present the question of the day was the land question. He had
 “ great pleasure in proposing the resolution.”

You did not express any dissent to that speech?—I do not appear to have done so.

59,464. Do you now?—I cannot say that upon the whole that I think it was an unnatural position for a man like Mr. Davitt to have taken up.

59,465. I did not say anything about an unnatural position for a man like Mr. Davitt to have taken up. Do you now represent to my Lords that you suggest that that speech is the speech of a man who is advocating constitutional agitation?—I believe it is the speech of a man whose mind is in a state of transition on the question.

59,466. Then the not expressing his own definition, but leaving the people to draw their own inference from his previous advocacy of Nationalism, you think that indicates his mind was in a state of transition?—I thought so; I think so.

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59,467. I called your attention, you know, to the "Landlord Garrison" argument of that speech. Have you, yourself, read many of the speeches that have been put in evidence in this Commission?—I am sorry to say I have not.

59,468. Whether sorry or not, I want to know whether you have. I put it to you distinctly, had you not seen repeatedly the "Landlord Garrison" spoken of, as being adapted to the independence of Ireland?—There is no doubt that those expressions have been very frequently used.

59,469. Have been repeatedly used?—I have no doubt about it; it is a very hackneyed expression.

59,470. Whether hackneyed or not, do you suggest that anybody listening to Mr. Davitt's speech, would not understand that speech to be in favour of driving out English rule from Ireland altogether?—I do not think so. I think you quite misunderstand and misinterpret that speech.

59,471. Never mind that. It was immediately followed by Mr. Malachy O'Sullivan—was he a Fenian?—You have asked me about that, and I have told you very possibly he was.

59,472. You said that he was a white elephant.

Mr. Malachy O'Sullivan: "He observed, when he looked around that great assemblage of Irishmen, he felt a feeling of pride at being a democratic Irish-man. He came over with the belief that there still lived in the Irish people enough manly independence to demand their right and liberty. This land question was a great and important question. It was the foundation of all social order. It was repugnant to human intelligence to concede that a few men should possess the power to drive away millions of people.

"A voice: We want equality.

"Mr. O'Sullivan: I tell you the people must lay down a doctrine, and adhere to it, and that was that the power of the landlords must be restricted.

"A voice: They have had it long enough.

"Mr. O'Sullivan: Moral power becomes strong by physical force being behind. It was useless to talk of a foreign government granting to an Irish people the land question. It was absolutely impossible for them to expect that a landlord's Parliament would debate the tenant's question.

"A voice: Down with Home Rule.

"Another voice: To the dust with it.

"Mr. O'Sullivan agreed that the agricultural depression which prevailed demanded a reduction of rents. He would tell them to meet together and propose fair rates, and if they were not accepted to pay none at all. He asked them not to imagine for a moment that this advice was given thoughtlessly, or that he was advising them to do a foolish thing. He was advising them to do what was right. The doctrine of 'the land for the people, and the people for 'the land' must be laid down, and if necessary they must be ready to lay down their lives to sustain it, and rather die in the field than in the ditch."

59,472a. Then came your speech. Now, I ask you whether anybody hearing such a speech as Mr. Davitt's and Mr. Malachy O'Sullivan's would consider that they had been invited to join a constitution agitation?—I draw a very broad line of distinction between Mr. Davitt's speech and Mr. Malachy O'Sullivan's speech.

59,473. You were there?—I was, but I draw a very broad line of distinction between Mr. Davitt's speech and Mr. Malachy O'Sullivan's, and although I did not so critically analyse Mr. Michael Davitt's speech as you might have wished, or as I might have wished if I had known I was going to be here to-day, yet I undoubtedly listened to his speech, and probably more than to the speeches of most men, but I cannot suppose for a moment that I paid any attention—certainly not the same attention—to the speech of Mr. Malachy O'Sullivan. He was in a very different position, and he, in his speech, I think, takes up a very different position from Mr. Davitt.

59,474. What do you mean by Mr. Malachy O'Sullivan being in a different position?—Mr. Malachy O'Sullivan says he is in a different position by his speech when he talks about the means by which the tenant farmers are to gain their rights; that they are not to be gained by Parliamentary agitation, but they are to be gained, as far as I gather from the extract you read, by—

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59,475. I read the whole of the report in the "Freeman's Journal"—by physical force—it seems to be a physical force speech?—It was the first time I ever heard the speech, I do not suppose I paid much attention to it.

59,476. That is your explanation. Do you happen to recollect whether Mr. Malachy O'Sullivan was present at any other meeting at which you were present?—I do not recollect it. I do not recollect Mr. Malachy O'Sullivan at that meeting, or any other meeting. I only recollect him afterwards as a clerk in the Land League office whom we were obliged to get rid of.

59,477. Did Mr. Michael O'Sullivan become assistant secretary of the Land League?—I do not recollect that, as a title, was ever conferred upon him.

59,478. I will put it another way. Was he (I put it to you) assistant secretary to the Land League, and if so up to what time?—I am not aware that he ever received the title of Assistant Secretary of the Land League. He may have assumed the title.

59,479. Your suggestion now is that he was not assistant secretary, but he assumed the title?—He may have; I do not know. He may have received the appointment. He did not as far as I know.

59,480. How long did he remain in the employment of the Land League?—I think he left the employment soon after my return from America.

59,481. (*The President.*) You say you had to get rid of him. From what position did you have to get rid of him?—As clerk in the Land League office.

59,482. (*The Attorney-General.*) What sort of clerk?—He was a clerk—I think the only clerk at the time. The organisation up to that time was a very small organisation. It practically did not exist outside of Mayo and a small portion of Galway.

59,483. When do you put the date you got rid of Mr. Malachi O'Sullivan?—I cannot tell you as to the date, but my impression is we paid him off soon after my return from America. Mr. Davitt will be able to tell you more particularly of that.

59,484. I may have the means of fixing the date, but I put it to you, did he not remain as long as December 1880?—It is possible. I had not the same intimate acquaintance with the office that Mr. Davitt had. My impression is that he was dismissed soon after—paid off, soon after my return from America, before the Land League assumed the position which it ultimately did in the early stages of the movement.

59,485. Now we will assume, if you please, for a moment that your knowledge of the organisation at that time was less than Mr. Davitt's?—He was a good-natured, honest, creature, but very unfitted for any responsible position—Mr. Malachi O'Sullivan.

59,486. Did you know at how many meetings this good-natured, honest creature, who was foolish enough to advocate physical force, spoke in the presence of Mr. Davitt?—Oh, I have not the slightest notion.

59,487. May I take it that you did not take any part in either meetings yourself, except the Westport meeting in that year, before you went to America?—I think not.

59,488. It is not very important, but I may have to ask you a question or two about it later. Now you went out to America, and on the way out you were interviewed by Mr. Ives. No doubt you remember your answer yesterday. If necessary I will read it to you. You were in court when Mr. Ives was examined?—Yes.

59,489. You remember his cross-examination was postponed, and he came back at the request of your counsel to be further cross-examined?—Yes.

59,490. Have you ever until yesterday suggested that you directly or indirectly qualified the passage with regard to the secret and open movement which I have read at pages 485 to 487?—No; I am quite satisfied with the passage as it stands. Every Irishman understands the reference perfectly. It only requires explanation to those not familiar with Irish politics.

59,491. I put this to you, and forgive me for asking you to apply your mind carefully to it, and to answer my question carefully. Did not Mr. Ives submit to you the written memorandum on board the ship?—His examination—his evidence—was perfectly correct in that respect, as well as in other respects. We corrected his interview after he had written it out.

59,492. Did you not take it away, and together with Mr. Dillon, alter it and make corrections in it, and then hand it back to Mr. Dillon?—Yes, I think that was very

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probable. I have no special recollection of it, but I think it is exceedingly probable I would after any correction.

59,493. As a matter of fact, did you not strike out some considerable matter from it?—I should think not very much.

59,494. Was it not published in the “New York Herald” as it had left your hands?—I think so. I have never had any fault to find with that interview. I think it was a very much better interview than I should have been able to give myself if I had dictated it to him as a shorthand writer. The language was better than any language I could have used.

59,495. Whatever may be the effect of it, it was a supposed declaration of your object in going to America?—I think he described those objects.

59,496. This was “An explanation of his plans in America”?—Yes, I think so.

59,497. I must ask you this. With reference to any qualification of the natural understanding of that paragraph, to which you referred in your answer yesterday, did you ever, directly or indirectly, either in writing in America or in any speech in America, correct that?—I have already answered that question, about five minutes ago.

59,498. Let me hear it again, then?—I never desired to do so.

59,499. I must ask you, please, who did you first meet in America. Did you meet Mr. Devoy?—I think the very first man we met—it was not exactly in America, because it was on board the steamer—was Mr. John Devoy, who boarded us (he was in the employment of the “New York Herald”) for the purpose of obtaining the latest news for his employers.

59,500. Whatever the purpose was, did you not see Mr. John Devoy in America—repeatedly in America?—Repeatedly in America.

59,501. You knew Mr. Devoy was a Fenian?—I knew that he had been connected with the old physical force struggle in Ireland, and had suffered for it.

59,502. Can you point to a single utterance of Mr. Devoy’s, either in any English paper you had written, or any American paper in which Mr. Devoy had abandoned the physical force policy?—I have never studied Mr. Devoy’s utterances.

59,503. Be good enough to answer my question. Can you point to any such utterance?—I cannot point to them because I am not familiar with them.

59,504. I may take it you have not any in your mind now?—I should like to put before you an interview which Mr. Devoy is reported to have given.

59,505. Forgive me, you will answer my question?—Which I think you might study.

59,506. Never mind that. Can you give me any utterance of Mr. Devoy either before your going to America or while you were in America in 1879, intimating that he had abandoned the physical force idea?—I do not think Mr. Devoy made any utterance in 1879 while I was in America—not that I am aware of.

59,507. Did you meet J. J. Breslin?—I should think not.

59,508. Have you any doubt about it?—I do not recollect him.

59,509. Did you know him?—I must have known him if I was introduced to him, but I could not tell you what sort of man he was.

59,510. Was he a Fenian?—He was in the old physical force movement, and I believe he had also suffered for it.

59,511. Whether he had suffered or not, do you suggest that you thought at this time that the Fenian movement in America had ceased to exist?—I cannot say I thought very much about it at all. I believed that, so far as any active interest was taken at the time of my going to America by Irishmen in the Irish question, it was taken by the men of revolutionary physical force ideas. I believe that that party was limited in numbers. I believe that the great bulk of the Irish people in America, until I went there, did not take any interest at all in Irish politics.

59,512. Whether limited in number or not, with reference to those whose names I have put to you who had been Fenians or previously connected with the Fenian movement, was there any one of them who, during any speech or any writing, had to your then knowledge abandoned the secret Fenian movement?—I can assure you I did not study their speeches, and I do not know of any such passages.

59,513. Did you make any corrections?—I assure you I did not assume to make any corrections. They were trivial, and the thing never occurred to me.

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[Continued.]

59,514. Now you met Breslins. Did you see J. F. Finerty?—At Chicago and also at New York. I think he came with a Mr. Stone, an American. The editor of an American newspaper at Chicago, and a third gentleman, whose name I forget at this moment, came in a deputation from Chicago to invite us to address a meeting at Chicago.

59,515. Your answer to me is you did see Mr. Finerty?—Upon that business.

59,516. And on that business only?—On that business only.

59,517. Did Mr. Finerty do anything at all with reference to your tour?—After I got to Chichago he assisted, and was present at the meeting and was a member of one of the very large committees that was formed for the purpose of welcoming me.

59,518. I suppose you know now that Mr. Finerty was a Fenian?—Well, I do not.

59,519. Do you represent that?—I am inclined to think that he was not—I am inclined to think that Mr. Finerty was not a Clan-na-Gael.

59,520. Have you any utterances of Mr. Finerty supporting your statement that he was not a member of the Clan-na-Gael?—No, I do not think Mr. Finerty made any utterances while I was there.

59,521. Mr. W. J. Hynes, you saw him?—I do not recollect Mr. Hynes. I think Mr. Hynes was the one that was mentioned by Beach.

59,522. I beg your pardon, I am not referring to that at all.—Another Mr. Hynes?

59,523. No, J. W. Hynes, the same man as mentioned by Mr. Beach. I am referring to a contemporaneous report of the people that received you. Did you not see Mr. W. J. Hynes?—I do not recollect Mr. Hynes, but it is very probable I did see him. He was evidently one of the leading politicians of Chicago.

59,524. Mr. Alexander Sullivan, did you see him?—Yes, Mr. Alexander Sullivan. I formed a very high opinion of his ability.

59,525. I am not asking you your opinion as to his ability. Was he a Fenian?—Not as far as I know.

59,526. Do you represent that?—Undoubtedly.

59,527. That you think Mr. Sullivan has never been a Fenian?—I do not think so.

59,528. Are you drawing a distinction between “Fenian” and “Clan-na-Gael”?—No, I understand that when you are speaking of the American branch of the question when you say “Fenian” you mean “Clan-na-Gael.” I do not desire to shuffle with you.

59,529. I am sure you do not. I only want to know whether you understand my question, whether J. W. Hynes was a member of the Clan-na-Gael or Fenian body in America?—I have no recollection of Hynes at all. With regard to Mr. Sullivan I wish to answer your question more fully. I had certainly no idea that Mr. Sullivan was a member of the Clan-na-Gael, or the Fenian body in America, until I heard Mr. Beach’s evidence—not the slightest idea. If I had thought Mr. Sullivan was connected with the Clan-na-Gael, as it has been alleged that he is connected with it, I should not have agreed to his being president of the National League of America.

59,530. Dr. William Carroll?—Dr. Carroll I knew very well.

59,531. Was he a Clan-na-Gael man?—Not so far as I know.

59,532. Do you represent that?—I do; but before my tour was over I heard that he was.

59,533. You knew before you left America?—At the time I knew Dr. Carroll I did not know or suspect he was a member of the Clan-na-Gael.

59,534. But you knew before you left?—Yes, before my tour was over. I met Dr. Carroll, in the earlier portion of my tour, in Philadelphia.

59,535. I want to get this clear. How long before you left America did you know Dr. William Carroll was a member of the Clan-na-Gael?—I think I heard of it at some of the later meetings, towards the end of the tour.

59,536. About three weeks or a month before you left?—Probably, a fortnight perhaps.

59,537. Who did you hear it from?—I heard that he was a representative of the physical force, or Clan-na-Gael section.

59,538. Who from?—I do not know that I ever heard that he was definitely a member of the organisation of the Clan-na-Gael; and that he had physical force views.

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59,539. Who did you hear it from?—I cannot say; somebody in conversation who was hostile to the Clan-na-Gael, who was speaking about the Clan-na-Gael.

59,540. You know, in this connection (I will take it now, though it is a little out of order) when you learned that Dr. William Carroll was a representative of or connected with the Clan-na-Gael or physical force section, did you do anything to cut your connexion with him?—Not at all, I did not learn of Dr. Carroll that he was connected with the Clan-na-Gael, but I learned of him that he had physical force views—revolutionary views.

59,541. You told me but a few moments ago that you ascertained in the course of your being in America that Dr. William Carroll was in the Clan-na-Gael?—That he belonged to that section.

59,542. Belonging to that section; you do not mean to cover it up in words. It came to your knowledge that he was a member of the Clan-na-Gael?—No, it did not come to my knowledge.

59,543. What does belonging to a section mean?—There is a difference between belonging to a section of men of certain ideas, and belonging to a particular organisation.

59,544. You have explained to Mr. Asquith very clearly in answer to his question that you consider there was a Conservative party.—Yes.

59,545. And there was, I think, a Home Rule party?—There was the Conservative party, and the “Irish World” party.

59,546. And the Clan-na-Gael and physical force party?—I did not describe it as the Clan-na-Gael, but the section of men who believed that physical force was the only way in which Ireland could be benefited. I certainly never attempted to keep those men out of the movement. Dr. Carroll was one of the men to whom I sent an invitation to attend the meeting at New York.

59,547. Yes, and some others too you will find.—And unfortunately he would not come into the movement. He left it.

59,548. Some others you will find also. J. D. Carroll.—J. D. Carroll I do not recollect in any way,

59,549. Did not he meet you in New York—one of the first who met you?—I do not recollect.

59,550. I am giving you the names of some of those who are alleged in the “Irish World” of 27th September 1879, to have been those who received you?—I do not know anything about what the “Irish World” says, I go by the reports of the American newspapers, the New York daily newspapers.

59,551. The “Irish World” is a daily newspaper?—As to the men who received me, I was received by the Honourable J. E. Devlin, representing a committee of 300 prominent citizens of New York.

59,552. James Gallagher?—I do not recollect him at all.

59,553. Did you see him at all?—I do not recollect him in the least.

59,554. Prendergast, did you see him?—There was a committee of reception of about 300, and I suppose about 100 of those came down to the steamer to meet us on the *Scythia*. Of course I could not come in contact with each of those hundred personally or recollect what their names were, or who they were afterwards.

59,555. I must put this to you. I have given you the names of some prominent Nationalists. You admit some of those persons whose names I have mentioned are prominent Nationalists?—Yes, I recognise the names of Mr. Devoy and Dr. Carroll as being names of prominent Nationalists.

59,556. I understand you to say that you had not at the time of your leaving Ireland any knowledge of what those people were?—I had no knowledge of the Clan-na-Gael organisation.

59,557. Or of the character of the people whose names I have given you?—Or of any definite revolutionary organisation existing in America.

59,558. Had you heard of the Clan-na-Gael before you left?—Not before I left, no. I heard of the Clan-na-Gael for the first time when I was in America towards the end of my tour.

59,559. What did you hear of it as?—I heard of it as the secret society corresponding to the I.R.B. of Ireland, and that it was a mischievous body. I heard of it from an opponent of the Clan-na-Gael.

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59,560. Now I must ask you this, had there not appeared in the "Freeman" of the 17th of October 1879, that is to say a few days after the formation of the Land League, and immediately preceding your visit to America, a manifesto signed by those very people whom I have been asking you about, William Carroll, Thomas Clarke Luby (I did not mention him), J. J. Breslin, Thomas F. Burke, James Reynolds, and John Devoy?—I think it is very possible.

59,561. I am going to read that to you directly. I must exhaust the names. Thomas Clarke Luby, did you see him?—I must have seen him.

59,562. Is he a Fenian, a Clan-na-Gael man?—He is a man who was very highly thought of in America generally.

59,563. Do you think it fair in answer to my question whether he is a Fenian, to say he is a man very highly thought of in America?—I was going to tell you what I knew of him, if you will allow me, he was a man who was very highly thought of amongst the Irish people of America, and he had undoubtedly been connected with the Fenian movement in the old times, and he was one of those who, like Mr. Davitt and others, had suffered for that connexion.

59,564. Have you any doubt that Thomas Clarke Luby was a member of the Clan-na-Gael?—I cannot say.

59,565. Have you any doubt that he was attached to the section which you call the physical force section?—It would probably be a physical force man, undoubtedly.

59,566. T. F. Burke the same. I think you know his name?—Yes, I know the name very well. I should think he would be one of the physical force section also.

59,567. James Reynolds?—I do not know of Mr. Reynolds.

59,568. Augustine Ford, is that the same as Austin Ford?—I should think so.

59,569. Augustine Ford is a relation of Patrick Ford I think you told us?—I think a cousin.

59,570. He was a gentleman I understood you to say you interviewed me, in common with a number of other newspaper correspondents, when I landed. I have no recollection of him though at all.

59,571. You have said to-day, in connexion with the skirmishing fund, that that fund had ceased to exist before you went to America?—I understood that, yes, and it is apparent by the date which is given in your own sheet, July 1879.

59,572. Do you represent to my Lord, from that sheet, the date which you there give, that the skirmishing fund, as a fund, had ceased to exist?—The collection for it, by the "Irish World," in the connexion referred to.

59,573. Were not these people whose names I have given to you—pick them out specifically—William Carroll, Thomas Clarke Luby, John J. Breslin, Thomas F. Bourke, Jones Reynolds, John Devoy, the trustees of the skirmishing fund. I have not the slightest notion, but I think it is very possible they were.

59,574. Now I must read this to you, please. It is the "Freeman's Journal" of the 1st of November 1879.

" TO THE IRISH PEOPLE IN THE UNITED STATES.

" Fellow Countrymen, the threatening aspect of affairs in Ireland calls for prompt and vigorous action on the part of the Nationalists in this country. It is no time for idle talk, but for serious preparation for the stern work that is before us. The national movement is fast approaching a crisis when its members must be prepared to make larger sacrifices and work with redoubled zeal, so that the hour of trial may not find them unprepared. In view of the change in the situation, it has been decided, with the concurrence of several trusted friends in the National party, to enlarge the board of trustees of the National fund, and to appeal once more to the Irish people here for their support."

Do you know whether the National fund is the same as the skirmishing fund, Mr. Parnell?—I do not know at all. I do not know the distinction between them.

59,575. Do I understand you to say, having followed these proceedings, you do not know perfectly well, Mr. Parnell, that from the actual records put in, and statements

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made, if they are true, signed by these people, Patrick Ford among them, and others, the National Fund and the skirmishing fund are the same?—No, I have not.

59,576. You have not followed that?—No.

(*Mr. R. T. Reid*) Nor does it appear.

(*The Attorney-General.*) That we will argue. I think it is very possible it may be so.

(*Mr. Justice A. L. Smith.*) It has been proved the National Fund and the Skirmishing Fund are identical.

59,577. (*The Attorney-General.*) I will prove it when it comes to my turn?—It may be so.

59,578. (*The Attorney-General.*) I will demonstrate it some time or other?—It is a matter I have no information about at all.

59,579. Listen :

“ The National Fund was started with a view to providing the means to strike a telling blow against England whenever an opportunity should present itself. Its object was at first distinct from the general movement for Irish independence, and not influenced by any particular crisis in Ireland calling for immediate action. Its originators never calculated that it should perform more than a small portion of the work of driving the foreigner from the soil of Ireland. It was intended, in short, to hasten, if possible, the advent of Ireland’s opportunity, by inflicting injury on England at vital points and at critical moments while showing the Irish people the immense power lying unappreciated in their hands for the destruction of that empire which has robbed them of land and liberty, and driven them homeless over the earth.”

I am sure you will do me the courtesy to listen to this, as I want to put questions to you afterwards, and not have to go back to paragraphs again?—Yes, I am following it.

“ The call was responded to chiefly by that class of the Irish people in America who can least afford pecuniary sacrifices, and under the pressure of unprecedentedly hard times. There was no apparent prospect, except for a very brief period of England becoming involved in foreign war, no evidence of vigorous political life in Ireland, no unusual danger menacing our countrymen at home—nothing, in short, to stimulate Irish-Americans to unusual activity, and yet, taking all the circumstances into account, the amount subscribed was very creditable. It was enough to show that, under more favourable conditions, and with an object the proximate realisation of which could be made clear to the majority of our people, with, above all, the evidence of vigour, determination, and steadiness of purpose in the political life of Ireland, Irish-America would be prepared to do its whole duty, and would sustain the struggle for the regeneration of the old land with its last dollar and its last man.

“ The amount contributed, however, though larger than was anticipated, and sufficient to carry out some of the minor things indicated by its founders, would not warrant the undertaking of such an enterprise as would inflict real and lasting injury on our enemies, or be of real benefit to Ireland. It was determined that when operations of this nature were commenced we should be able to deliver blow after blow with crushing effect, and that, once begun, the work should go on till the power of England should be so crippled that our countrymen at home would not have the same odds against them as at present. It was seen also that the commencement of such work would force on a crisis in Irish national affairs, and that the National party would be compelled, by the circumstances thus created, to take action for which they were not prepared. After earnest consultation with the trusted men of the National party, it was decided that preparatory steps only should be taken, and that all action likely to precipitate a crisis in Ireland should be postponed to a more fitting opportunity. It is only by the closest union and the most complete concert of action that the Irish people can hope to succeed in overthrowing English domination, and all the branches of the Irish National party must act as the divisions of an army, animated by a common purpose, and guided by an authority whom all must recognise toward the point where the enemy is to be met.

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“ Such was the position of the National Fund from its foundation to a few short weeks ago. Since then the whole situation of affairs has changed. New duties are imposed on us, new sacrifices demanded. Ireland is face to face with one of the greatest crises of her history. Her people are menaced with extermination, and appeal to their expatriated kindred for help in their hour of sorest need.

“ The foreign landlord system, which has cursed the country since the final triumph of English rule and dwarfed the energies of a people endowed with natural gifts fitting them for one of the highest places among the races of the world, has at length reached the climax of its infamous history and reduced the people to the verge of beggary.

“ Bad seasons and the competition of American produce perform but the minor part in the desolation which now overspreads Ireland. It is the foreign landlords, the inheritors of the successive robberies of Tudors, Stuarts, Cromwellians, and Williamites—an idle horde who perform no useful function in the land, who drain the life blood of the nation, and render it incapable of resisting even the most transient depression of trade or the effects of one bad season. Remove the blight of landlordism, make the tiller of the soil independent of the caprices of a petty autocrat, with no one to stand between him, and the Government which shall be the expression of the will of the whole people, and the quick intelligence and strong arm will provide from the teeming soil of his native land ample remedies against bad seasons and foreign competition.”

(*Mr. Asquith.*) I do not wish to interpose unnecessarily, but do not your Lordships think enough of this has been read to revive Mr. Parnell's memory.

(*The President.*) I was going to ask to what question; is this an introduction?

(*The Attorney-General.*) I am sure your Lordships will bear with me. I had not the smallest wish to read the whole of it, but my learned friends have so invariably objected to my reading a part of a document, that I thought I should immediately, if I began to read certain passages—

(*The President.*) Do not try to please them.

(*The Attorney-General.*) I will read the last paragraph, if you please.

“ We do not wish to provoke a hopeless resistance, but wholesale evictions at the bayonet's point are sure to end in bloodshed, and many will prefer to die like men, defending their homes from the foreign robbers, than to live paupers in the workhouse or starve by the roadside. The action evidently contemplated by the English Government may provoke such a conflict between the people and the foreign soldiery as will precipitate a general movement. This is a danger which must be foreseen and provided for.

“ In the event of such a conflict, the funds at our disposal shall be used to enable the people to stand by their homes, to strike down the robber rule of the landlord, and to inflict speedy punishment for acts of cruelty and murder. We know the consequence of the steps it may be necessary to take, and do not hesitate to assume the responsibility. Will you share the responsibility with us, and enable us to take really effective measures sustaining the fund?

“ WILLIAM CARROLL.

“ THOMAS CLARKE LUBY.

“ JOHN J. BRESLIN.

“ THOMAS F. BOURKE.

“ JAMES REYNOLDS.

“ JOHN DEVOY.

“ AUGUSTINE FORD, Secretary.”

59,580. Do I understand you to say you never saw that?—I never heard of the document before.

59,581. And you represent, Mr. Parnell, that you going over to America negotiating with these people, arranging with these people, as I show you were doing, or seeing these people at present, that you had no knowledge at all of this elaborate pronouncement with reference to the National Fund which appeared in the “Freeman's Journal” of the 1st of November?—Not the slightest?

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59,582. And never heard of it from anybody?—Never heard of it.

59,583. I am repeating the question I am putting to you. And you made no inquiries respecting the attitude of these men whom you knew to be physical force men?—My view—I have repeatedly stated it—with regard to the joining of the Land League by men like Mr. Devoy and men like Mr. Carroll and others, was that the Land League was to be open to all, and that it was not my duty to forbid any man to enter the new organisation on account of his past history or views as to how Ireland might be benefited.

59,584. Your position then is this, that you thought it consistent with your advocacy of the new movement to ask absolutely no questions either with regard to the antecedents or news of prominent people with whom you were associated?—I wished that the Land League might be the movement of the whole American people, and I was quite willing that the men who had held these views should have that position in the movement to which their numbers and character entitled them.

59,585. Did you say one word in America indicating that you either believed or that the physical force people had abandoned their physical force programme?—The matter was never brought before me.

59,586. Now answer my question. Whether brought before you or not?—I did not.

59,587. Advocating your new movement, did you say one word indicating either the opinion or urging the people to abandon the physical force movement?—No, I believed that the attitude of men who had held these views was that they were willing to give a fair trial to the constitutional method, and to accept loyally the results of that trial.

59,588. Now I am a little anticipating, as I must go through certain things in America, but were not many of these men actually on the committee that you left to form the National League, or I will call it the Land League of America, when you returned to England in March 1880?—Undoubtedly, some of the men were on the committee whom, as I have already explained, I believed, or supposed, or had been informed were men who held, or had held physical force opinions, but without any reference to any particular organisation.

59,589. What was the total number of the Committee you actually appointed to draw up?—I think it has been handed in.

59,590. I would rather have your answer?—I cannot at all recollect. I have not the slightest recollection.

59,591. Do you remember now how many of those who formed the committee who were to frame the Land League of America after your departure had been pronounced physical force men?—I cannot tell you. I might be able to tell you if I saw the list of the names. May I have the list?

59,592. Each of the seven, or whatever the number was, were to be representatives, I think, of the sections of America, were they not?—I am not sure. I do not carry the thing in my memory.

59,593. Now I am very anxious to pass on, although, unfortunately, I have a great deal to ask you, but I must take a specific matter now, if you please. Will you give me the report of the Cincinnati speech?—Before we leave this subject, with regard to the question whether I ought to have forbidden these men to enter our movement, my Lord, I have always thought that in the history of Ireland there has been much justification for the view that they have taken up from time to time, and particularly their view as regards the inutility of Parliamentary action, and I should have considered it an unreasonable course upon my part to pursue at the threshold of our new movement when we were yet untried, when our movement was yet untried, to ask these men to abandon their views and to accept unhesitatingly mine, and to shut the door of the constitutional movement in their face at the very commencement of this movement, unless they agreed to forego definitely, and to make public declarations definitely against any contingent recourse to physical force hereafter.

59,594. Does it occur to you, Mr. Parnell, that the speeches inciting the people to get rid of the landlord garrison as being the garrison of England, point directly in the same direction; paving the way to independence and complete separation?—Which speeches?

59,595. Speeches delivered in Ireland, of which a large number have been proved?—Inciting to get rid of the landlord garrison?

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59,596. Does it occur to you that the speeches inciting to get rid of the landlord garrison as being the removal of the main barrier to national independence pointed in the same direction?—I do not think so. That is not my interpretation of the use, so far as I myself may have ever used it, or so far as any of the responsible leaders of the movement may have used it.

59,597. Now you suggested yesterday (I think I quote your words accurately) that you have never thought or said anything like the concluding words attributed to you in the Cincinnatti speech. I think I have quoted it correctly?—I should like you to read what I did say yesterday.

59,598. I will, with pleasure, Mr. Parnell. This is put to you by Mr. Asquith (Question 58,420, page 2896): “ ‘None of us, whether we are in America or Ireland, or wherever we may be, will be satisfied until we have destroyed the last link which keeps Ireland bound to England.’—Did you use that language? (A.) I think it is exceedingly improbable, but I cannot at this distance of time undertake to say that I did not use it. I do not believe that I did use it. It was very unlike anything else that I said in America.” That is Question 58,420, page 3896. Now I will read your answer, Mr. Parnell: “Yes, that sentence is entirely opposed to anything I have ever uttered in any speech during my life, as far as I know, or to anything which I have ever thought; and if I did use those words, or anything like those words, I should say they must have been very largely qualified with other matter.” Now, I think, I have read to you, as you wished me to do, the two answers which you gave yesterday. Now I must put this question to you with reference to it being different to anything you have ever uttered or have ever thought, or that you have ever uttered anything like those words. First, I will put this—Did you not repeatedly in America make speeches practically to the same effect?—No.

59,599. First, I will say, do you now allege that you did not use those words or not?—My answer is my answer of yesterday.

59,600. You are not sure?—I have nothing to add, and I have nothing to retract.

59,601. You are not sure?—I beg your pardon, I have given my answer.

59,602. Excuse me, I am entitled to put the question to you. I understand the result of that answer to be that you are not sure whether you used the words or not?—I believe I did not use them.

59,603. But you are not sure.—I cannot be sure about them.

59,604. Now, have you noticed that in the “Cincinnatti Gazette” the report which my learned friend put in, the part of the report immediately preceding the sentence is, practically speaking, verbatim with what is in the “Irish World”?—Yes, I think it does correspond with the report in the “Irish World,” much of it, with the exception of that sentence.

59,605. Which would show the reporter of the “Irish World” was not imagining his report altogether?—Undoubtedly.

59,606. If it was an addition it was an addition made——?—The reporter of the “Irish World” must have had access to the local papers, I should think.

59,607. It was an addition made with a purpose?—It might have been an accidental introduction out of the speech of somebody else at the same meeting.

59,608. Do you suggest that anybody else made that speech?—Oh, it is possible.

59,609. What?—It is possible that somebody else may have made such a speech.

59,610. It is possible, of course. Have you ever given that explanation that somebody else may have quoted that sentence which got tacked on to the end of your speech before?—I have never spoken about this matter, except once, in the House of Commons. My explanation there is on record, and it is practically the same as that which I gave yesterday.

59,611. I do not want to cross-examine you upon that, though I will if necessary. I may say at once I do not agree with the view that your explanation was then what you gave now?

(Mr. Asquith.) Yesterday?

(The Attorney-General.) I do not agree with that, but I will not argue the matter with you. I should just like to read the concluding part of the speech as given in the

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“Cincinnati Journal,” and see whether you suggest it is inconsistent with the sentence you think has been added:—

“We have a great work before us. With your assistance we can pass the winter in Ireland, can kill the Irish land system, and when that corner-stone of English misgovernment has been ground to powder the way is paved for Ireland to take her proper place among the nations of the world.”

I do not see very much difference between that and saying (to quote the words) “break the last link of the Crown?”—Well, I see a good deal of difference in it, and Mr. Henry Grattan also saw a good deal of difference.

59,612. I am dealing with you, Mr. Parnell, at the present moment. I must call your attention to one or two other utterances of your own upon this matter?—In other words, my Lord, Mr. Grattan’s view was that the idea of Irish nationality——

59,613. (*The President.*) I do not think we are called upon to hear what Mr. Grattan’s view was?—Then my view, my Lord, if you will allow me——

59,614. (*The President.*) That must be in answer to a question?—It was merely an explanation of the question, and my answer, which I thought I ought to make a little fuller.

59,615. Well, if there is anything you desire to add?—Well, my view of Irish nationhood is that it is quite compatible with the retention of the link of the Crown.

59,616. (*The Attorney-General.*) I call your attention to these words, quoted in your presence. I will read the report from the “Nation” presently, of the 2nd October 1881. Do you remember attending a meeting at Cork, at which Father Sheehy was also present? I am going to ask a question about him directly?—That was the great demonstration in 1881, I think you refer to.

59,617. The 2nd October 1881; you are right? Yes, I recollect that.

59,618. The words quoted in your presence are these. I read from the 266th volume of “Hansard,” at page 806, quoted by the Irish Attorney-General, Mr. Johnson.

(*The President.*) Is this something said by the Attorney-General in Mr. Parnell’s presence?

(*The Attorney-General.*) In Mr. Parnell’s presence? No, it cannot be in Mr. Parnell’s presence.

59,619. I think I am wrong in saying that this citation was in your presence, Mr. Parnell, because I recollect you were in Kilmainham?—You are quite welcome to read it.

59,620. No; I will refer to an actual report in “United Ireland” which probably will satisfy you as well?

(*The President.*) I suppose you may ask him, did he use those words.

(*The Attorney-General.*) Yes, of course, my Lord, I read from “United Ireland” report of the 8th October 1881—which is, your Lordship knows, Mr. Parnell’s own organ—report of the speech quoted by Mr. Johnson. Mr. Asquith was quite right in pulling me up upon the other matter.

“Upon many times in our history has such a revival been attempted, and it has been sought to originate these movements in former times very often, but they have not had the democracy and spirit of the people to sustain them, and hence their failure. But to-day this great industrial movement, which I trust will result in bringing plenty and comfort to the home of every Irishman, is supported by the masses of our people, is based for its support upon the affection and spirit of patriotism in Ireland. We, then, have every confidence in embarking in this movement for the protection of Irish industry, that it will be a success, and that, although we cannot have our own parliament to protect Irish manufactures, we shall yet be able, by the strong force of our public opinion, to give the preference to things that are made in Ireland by Irishmen. (Cheers).”

“THE ONLY LINK.

“A happy future is, then, before us if you stand together like men. If you refuse to allow the ranks of your organisation to be broken, depend upon it that nothing can resist your power, and that by the spirit of order, and the abilities of organisation and association, together with your obtaining from day to day”—I think that must be “advancing from day to day”—

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[Continued.]

“ you will convince our rulers that it is an absolute necessity for them, if
 “ they wish to maintain the link of the Crown, that the link of the Crown shall be
 “ the only link between the two countries.”

Does that occur to you as being anything very different?—As I have already explained, very different. That was Mr. Henry Grattan’s exact contention, that the link of the Crown should be the only link between the two countries, and I have never heard Mr. Grattan’s loyalty was questioned.

59,621. I think you have quoted from Mr. Emmet’s speech in the dock ; but I take it that some patriot has used the same expression before?—I do not think Emmet ever made such a speech.

59,622. Yes, he did. I want to remind you of one or two other speeches in America. I am putting to you with reference to the allegation made, or comment made upon my observation in this matter that you delivered in America several speeches practically to the same effect ; not using the same words, but practically to the same effect as the Cincinnatti speech?—Yes, I think so. I think the Cincinnatti speech and all the other speeches were fairly similar in character ; in fact, I was accused by the “ New York Herald ” of going round America on the same speech.

59,623. Yes ; but I am putting to you that your speeches in America (of which I have extracts from a good many, but will take five or six as specimens of the speeches in America) are, practically speaking, all of them to the same effect, including the “ last link ” passage, as that which you delivered in Cincinnatti?—Not including it.

59,624. Yes, including it?—I do not admit that.

59,625. That is why I asked you to follow me?—I do not admit there was any other speech anything similar to that.

59,626. Then I must read them.

59,627. (*The President.*) Do you mean, with the qualification you have made, you have delivered similar speeches elsewhere—with the qualification of the “ last link ” passage?—The Cincinnatti speech was that there was to be no last link—no link at all, which I interpret to be total separation.

59,628. (*The President.*) I know. You have now qualified that, and said if you did use those words——?—There must have been some large qualification.

59,629. (*The President.*) Yes, there must have been some large qualification. Subject to that correction, were your speeches generally the same?—No, I do not think at the other meetings there was any reference to anything about a link.

(*The Attorney-General.*) I will put it as briefly as I can. I think it only right, as I intend to make the point afterwards, that I should indicate the speeches to which I refer. I will only read the passages which seem to me of the same view. I do not admit Mr. Parnell is a plagiarist. I think he makes different speeches, but the argument and effect is to the same point. I refer to the “ Irish World ” report of the Brooklyn speech of the 24th January 1880 :—

“ In order to obtain a settlement of any question in Ireland from the Imperial

“ Parliament you have to make it a burning question.

I hope you have reports of it there?—I am trying to see if I have.

59,630. I have no objection to your finding it at all.

“ Mr. Gladstone himself admitted the other day, when speaking at Mid-
 “ lothian ”—

This is in your language—

“ that it was not until a police constable had been shot at Manchester, in the dis-

“ charge of his duty, by the Fenians, and Clerkenwell prison blown up, that the

“ Irish Church question came within the domain of practical English politics.”

I have no doubt you remember that passage. It has been quoted very often?—Yes.

59,631.

“ He admitted in that way that you have to direct English public opinion, that

“ you have to act upon it in some extraordinary and unusual way in order to

“ obtain any consideration of the Irish land question.

Then you refer to the people having been singularly patient, in your opinion. Then you say this :—

“ Let us not suppose that a great cause like this can be won without shedding

“ a drop of blood ; but the whole tendency up to this time has been towards the

“ restraining of useless suffering, and, as I said the other day, we have saved the

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[Continued.]

“ lives of the landlords and the lives of the people; for if the people had been left
 “ to themselves as they were in 1847—then landlordism was synonymous with
 “ eviction, but up to the present time there have been no evictions.”

Then:—

“ We don't ask you to send armed expeditions over to Ireland. (A voice:
 “ ‘That is what we would like to do’ and applause.) I know that you would like
 “ to do that very much. (Applause and ‘Right.’) I think I know what you are
 “ going to say, and what you would like to do, and how willing you will be to
 “ help us all. (Applause.) But we ask you to help us in preventing the people
 “ who have taken our advice, and who are exhibiting an attitude of devotion
 “ which has never been surpassed; what we ask you to do is to help us in
 “ preventing these people from being starved to death. That you can do, and
 “ while you are thus helping these people you will have the satisfaction of feeling
 “ that you are engaged in the noble work of charity; and while you are doing
 “ that you will know that you are engaged in assisting in breaking down a system
 “ which has proved the ruin and destruction of Ireland. This is not a new
 “ enterprise; this struggle has gone on for many centuries, and it is bound to go
 “ on to the bitter end, and in one way or another the Irish people will insist upon
 “ having the land of Ireland for themselves (applause), and the end of it will be
 “ that then the men who till the soil will also own it. (Applause.) The
 “ high heart of our country remains unquelled; the will and the courage
 “ of our race are unquenched, and they are strengthened by the spectacle and
 “ the fine estate and by the great power of our people in this free land.
 “ (Applause.) I feel very confident that the day is very near at hand when we
 “ shall have struck the first blow, the first vital blow, at the land system as it now
 “ exists in Ireland, and when we shall have taken the first step to obtain for
 “ Ireland that right to nationhood for which she has struggled so long and so
 “ well.”

You do not suggest that is not a fair report of your speech?—I think that is probably a fair report.

59,632. I do not want to argue with you. Do you suggest that that is different in substance or practical argument to the “last link” speech?—Undoubtedly it is. I have already explained to their Lordships.

(*The President.*) Yes, I perfectly understand what Mr. Parnell means.

(*The Attorney-General.*) Now I call your attention to your Lynn speech of the 31st January 1880—Lynn in America I mean—I apprehend so—reported in the “Irish World” of the 31st January 1880.

“ Without awaiting for agitation the English Landlords reduce their rents.
 “ We attempt to improve the condition of affairs, and are called Communists and
 “ land-robbers. In France the Revolution swept away the landlords without a
 “ penny's compensation. Perhaps if the Irish Landlords do not heed the lesson,
 “ another revolution may sweep them away..

“ They are a defenceless people in Ireland. The right to carry arms is denied,
 “ and that birthright of every freeman is punished in Ireland with imprisonment
 “ for two years. A large body of constabulary is employed with 30,000 soldiers,
 “ and the time may come when Ireland will have a chance. When she is at war
 “ and beaten to her knees, the idea of the Irish Nationalists may be realised.”

“ The idea of the Irish Nationalists may be realised.” Does that occur to you as being a speech in favour of complete separation there or not.—No; I used the expression “Irish Nationalist” in its broader sense as we apply it to ourselves to-day.

59,633. And you think that that would be so understood by your hearers in connexion with the statement that when she is at war and beaten to her knees the idea of the Irish Nationalists would be realised?—Yes, I think so.

59,634. Of course the old Irish Nationalists meant physical force, as you said?—I beg your pardon, I was not quite following the last part of the speech.

59,635. The old Irish Nationalists always gloried in physical force?—Yes.

59,636. I pointed out to you that “when she is at war and beaten to her knees the idea of the Irish Nationalists may be realised.” Do you suggest that 99 people out of 100 would not understand that as a speech indicating that the time would come for resorting to physical force?—I am afraid I was not following the reading of that

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[Continued.]

speech sufficiently closely. I was thinking of a passage in the preceding speech which I wished to explain.

59,637. Perhaps I went too fast. However, you agree with me now, I daresay. I will read it if you wish again?—Read the last few lines, please.

59,638. I will:

“ They are a defenceless people in Ireland. The right to carry arms is denied, and that birthright of every freeman is punished in Ireland with imprisonment for two years. A large body of constabulary is employed, with 30,000 soldiers, and the time may come when Ireland will have a chance. When she is at war and beaten to her knees”— That “she” means England, of course—“the idea of the Irish Nationalists may be realised.”

Do you suggest anybody listening to that speech would not understand that to be a speech expressing the hope the time would come when, in England’s difficulty; the soldiers and constabulary in Ireland would not be able to prevent her being——? I think undoubtedly your interpretation of the close of that speech is much more correct than your interpretation of the other one. The close of that speech undoubtedly does look like a contingent——

59,639. We are getting on, Mr. Parnell. I am afraid you are not the judge upon this particular occasion. I am only bound to bring this to your attention?—It looks like a contingent direction of the minds of the people to another method of settling the Irish question by an appeal to arms if our constitutional movement fails. I do not exactly recollect where that speech was delivered; indeed I do not recognise the passage.

59,640. It is reported in the “Irish World.” I gave the date. Lynn, I think, it is called?—I will try and look up one of my original newspaper reports that I brought with me and see if the same passage occurs.

59,641. Now do you remember the celebrated speech at Troy, when the gentleman came forward and offered you 5 dollars for bread and 20 for lead?—Yes.

59,642. That you remember. It was quoted in Ireland, as we know, very frequently afterwards?—Yes.

59,643. You did not on that occasion think it necessary to repudiate the 20 dollars for lead?—I was very glad to get it, but not for lead.

59,644. I am dealing with the expression of opinion at the meeting. You will pardon me for keeping you to the point. A man on the platform came in your presence.

(*Mr. Asquith.*) Where is this reported?

59,645. (*The Attorney-General.*) The 14th of February 1880. Is it not the fact that at Troy a man in your presence offered 5 dollars for bread and 20 for lead?—That was the expression he used.

59,646. And you did understand that as meaning that somebody in the audience was willing to subscribe 5 dollars for what I may call assistance, and 20 dollars towards fighting?—Not a bit of it.

59,647. What did you think?—I understand him to mean he was subscribing 5 dollars to our charitable fund and 20 dollars to our Land League agitation fund.

59,648. Which he paraphrased by the word “lead”?—He paraphrased it in that way because the one thing rhymed with the other.

59,649. In the first place did you think it a fair description of your agitation to call it “lead.” “20 dollars for lead”?—No, I do not think it was, certainly not.

59,650. Why do you think it was the Land League?—Because he would not have given it to me if it had not been for the Land League.

59,651. This is only one of a great many instances, Mr. Parnell, and I must test it in this way. Do you represent to their Lordships that when a person has offered publicly 20 dollars for lead to you and your agitation, and you accept it, that that would be understood by the people as repudiating the physical force notion?—Well, it was not quite a public offer. I will explain to you the way in which the money was given by and bye, but at the commencement of my series of meetings in America I had plainly declared in my speech that I would not receive one cent. for arms or for any unconstitutional or illegal movement.

59,652. Is that speech reported?—Undoubtedly it has been put in.

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[Continued.]

59,653. Is it reported?—Yes, undoubtedly, and I expect and think I ought to have had the original report here by this time.

59,654. That is the speech to which you refer?—That is the speech.

59,655. I am speaking of its being reported in any newspaper?—I declared that at the Maddison Square meeting,

59,656. I will give you every opportunity. Is that speech to which you have referred reported anywhere?—Undoubtedly, it is reported in all the New York newspapers, and it is also reported in the “Irish World.”

59,657. Very well, I will take that and look at it. Now you wish to go on and explain?—Having made that declaration at the outset of my meetings, and having said nothing inconsistent with that declaration subsequently, I consider that no man in his senses would have offered me 20 dollars believing that it was going to be used for the very purpose which I had repudiated,

59,658. That is your explanation. Now I put this to you, Mr. Parnell?—It was not a public offer. The way in which these contributions were received was this, they filed or walked past the chair, and said, “Here is five dollars for Ireland,” or “Here is ten dollars,” and so forth.

59,659. Do listen.

“Mr. Townsend, after resolutions were passed, called upon some one to open the ball in the way of subscriptions. The call was answered by Michael Kennedy, who sang out, ‘Five dollars for bread and twenty for lead,’ a sentiment that was received with applause, and was followed by others of a similar nature, such as the Robert Emmet Association (*sic*) which subscribed \$200 for relief purposes and \$200 for agitation purposes. Rev. J. F. Lowry, of Cohoes, in subscribing \$50, gave it as a distinct gift to carry on a political movement. Rev. Father Powers, of Cohoes, subscribed \$100, and Mr. Parnell jokingly remarked, as it was announced, that Father Powers regretted being opposed to him (Parnell) on the emigration question. Father Powers favoured emigration, but it was the emigration of the landlords.”

What I want to put is this. Do you not know that that speech and the reference to lead was repeatedly quoted in Ireland with the construction put upon it which I have suggested you would naturally put upon it, namely, that it was a subscription in favour of physical force?—By your side it was so quoted, but not by anyone else.

59,660. I beg your pardon. It is very, very convenient to try and put that upon me. Who do you mean by my side, as you have said?—I mean the Tory party, the landlord party in Ireland.

59,661. Give me the names please?—The “Daily Express” has often quoted it.

59,662. Give me the name of the Tory party who quoted that?—Your organs in Ireland; and in this country it has been quoted.

59,663. Will you be kind enough to give me the name of any person that was used by or anything of that kind by any member of the Tory party?—Your newspaper organs in Ireland have used it, and in this country also.

59,664. Are you not perfectly well aware that Boyton the Land League organiser quoted that on more than one occasion?—I do not know that.

59,665. Do you mean to say you do not know that has been proved in this case already?—I do not. I do not know half the things which are proved in this case. The only use that was made of it in that sense was the attempted use of it that was made by Mr. O’Hanlon, who tried to disturb and break up our meeting at the Rotunda.

59,666. Where is this reported?—It is reported in the “Freeman.” He wrote a letter the next day in which he wanted to know what I had done with this twenty dollars, evidently suggesting that it ought to go to him.

59,667. Evidently suggesting that it ought to go to the physical force people?—Yes, that is the only use in that direction that I know of.

59,668. That represents lead?—Yes, quite so.

59,669. That at any rate was the view he took of it?—He thought I was misappropriating it.

59,670. I do not want to occupy time, but I do want to put this specifically to you. When that observation was made by Mr. Michael Kennedy and received with applause you made no statement to remove any misapprehension?—My recollection of it is that he came past the chair in a string of others and said “here is five dollars for bread and 20 for lead,” but of course the “Irish World” may have put it in a different way.

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[Continued.]

59,671. I really will only put one more. There are several other extracts from American speeches, and I will put in any you wish if you think they qualify it. Do you remember making a speech at Pittsburgh?—Yes, I recollect the Pittsburgh meeting.

59,672. That is reported in the “Irish World” of 28th February 1880?—Yes.

59,673. “This great movement is more of a revolution than anything else”?—Yes.

59,674. That rather agrees with the arguments we have heard?—It has effected a revolution.

59,675.

“It will go on until the last relics of the feudal land tenure are swept away.

“Up to the present it has been a bloodless contest if we except the blood of

“the innocent women of Connemara”?—

That is what I had reference to in the preceding speech—the speech before the last one—that we could not expect that this movement could be won without the shedding of a drop of blood. I had reference to the people who had been killed by the police in Connemara, and not to any assassination of landlords.

59,676.

“The attempt of the landlords to make capital out of you has failed. They have given nothing. (A voice—The Queen for instance). The Queen has given just half a days salary. (Hisses). . . . We have also demonstrated that the Irish people will not die in secret while the nobility, and even the Queen look on calmly with folded arms. (A voice—Down with the Queen) If the offer we make to pay for lands held by fraud and bloodshed is not accepted, the day will come when they will strike a worse bargain. (Loud cheers). (A voice—Whenever we say so). We have contended that it is cheaper to buy reform than to fight for it, but as an Irishman I believe in the right of the people of Ireland to the land of Ireland, and whether they are to get it by buying it to-day or getting it by force of arms to-morrow its no difference to me. (Cheers). When we have disposed of this Law Question we will have laid the foundation-stone of Ireland’s prosperity, and she will soon thereafter take her place among the nations of the world.

That is a report I should like to verify by an original report published by the local newspapers.

59,677. I do not think you will suggest I am putting anything unfair to you in criticising this, but what I put to you is, if that be a correct representation of what you said, do you represent to my Lords that that would not be understood as your being in favour of physical force if necessity arose?—The one expression that I do not care after the reference to whether the reform was achieved by constitutional agitation to-day or by physical force to-morrow “its no matter to me”—I think that that one expression “its no matter to me” would certainly afford some ground for the learned Attorney-General’s stricture. I should like, however, to see the report fully in the local newspaper. I have no doubt that I have got it, I will search for it. This is an “Irish World” report, and I cannot depend upon it.

59,678. I must put it to you whether, you will undertake to say that in Ireland at meetings at which there have been to your belief, I will not say to your actual knowledge, Fenians present, you have not also spoken of the opportunity arising of getting Ireland’s independence by force?—Well, I should not like to answer a general question of that kind without seeing the speeches.

59,679. I am sorry I have not the reports ready for you at the moment, I will, if possible, put some of them to you. Your Lordship will bear with me for a moment, I think I may have have got sufficient note of a speech I wanted to put. I hoped to have closed this. I did wish to put a speech of Mr. Redmond’s to Mr. Parnell in connection with this speech. I will do that to-morrow morning. Your Lordships will forgive me for not having it to-day.

(Mr. Asquith.) I hope my friend will also put in those extracts from the “Irish World” with reference to the funds.

(The Attorney-General.) Yes, I have done so.

Adjourned till to-morrow at 10.30.

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,

PROBATE COURT, No. 1.

Thursday, 2nd May 1889.

(*The Attorney-General.*) My Lord, I mentioned last night (my learned friend Sir Charles Russell was not here at the time, therefore I had better mention it again) that I am desirous of putting some questions to Mr. Parnell and others of the witnesses, founded upon the Government returns (it is nothing I am coming to at the present moment), of evictions and outrages, which I have had, of course, looked out in consequence of some statements and observations made in the course of this case. I have had those tabulated, and I can give, of course, my friends the reference to every return. I propose, with your Lordship's permission, to hand to my learned friends, as I stated last night, copies of the tabulated statement, so that they may, if they desire, correct it, and then it will save us time and your Lordship's time when I come to cross-examine, to have a common document to which we can refer. I may say in every case the figures are taken from the Government returns presented to Parliament, and from which quotations were made by Sir Charles Russell.

(*Sir C. Russell.*) Any course which will save time I willingly concur in. I think my friend Mr. Reid asked for these returns referred to a long time ago, many weeks ago. I shall be glad to have them as soon as possible.

(*The Attorney-General.*) They are no more accessible to one side than to the other. They were as accessible to Mr. Reid and his clients as to us. They are from returns presented to Parliament and nothing else. I do not propose to hand them to your Lordships at present, until I come to cross-examine upon them.

CHARLES STEWART PARNELL, Esq., M.P., re-called; further cross-examined by the
ATTORNEY-GENERAL.

59,680. I am exceedingly unwilling to go back to anything which I referred to yesterday, but I must put one question to you on a matter which has only come to my knowledge since your examination yesterday. With reference to the celebrated “last link” speech at Chicago, are you aware that in the “Cincinnati Commercial Gazette,” of the day following the speech, it was reported verbatim as in the “Irish World”?—No, I do not think I ever saw that newspaper.

59,681. And the name of the reporter given, Mr. J. W. Schrage?—No, I was not aware of that.

59,682. I will give you the date of the paper. It is the “Cincinnati Commercial Gazette” of the 21st of February 1880, the speech having been on the 20th?—The only newspaper I have seen is the one I have brought with me, and which you have and which does not contain the passage.

59,683. I put that to you yesterday, but I had not the information before you stated yesterday that you never knew Mr. Joseph Nolan, the member for Louth, till the year 1885?—Yes.

59,684. Are you clear about that?—Quite clear about it.

59,685. Was Mr. Nolan a Fenian?—I do not know.

59,686. Do you pledge your word, sir, that you did not know Mr. Nolan was a Fenian?—I do not know, he never told me so.

59,687. I did not say he told you. Do I understand you to say you have no impression or belief one way or the other as to Mr. Nolan being a Fenian?—I have certainly an impression that he was connected with the physical force party in the old times.

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CHARLES STEWART PARNELL.

[Continued.]

59,688. I do not mind in the least adopting your phrase, if it will shorten matters. By connected with the physical force party you mean a Fenian?—That is what they were called.

59,689. I will adopt either form of expression, provided it is understood. Now I should like to remind you of some things you have said in this connexion. When did you first know of Mr. Nolan being connected with the physical force party?—As I have already told you, I have never known of it. I have heard it spoken of amongst members of the party in a gossiping way, nothing more.

59,690. When did you first hear it spoken of among members of the party in a gossiping sort of way?—I should think about the time when the question arose before the Select Committee of the House of Commons.

59,691. Then let me just get that clearly. Do you mean last year?—That was last year, I think.

59,692. That is to say, when the question came up for the Select Committee about the introduction of some strangers to the House of Commons?—Yes.

59,693. Who were believed to be dynamiters?—There was a good deal that took place about Mr. Nolan, and there were a good many rumours that he had been connected with the physical force party.

59,694. I may take it it did create a good deal of stir, the introduction of Melville and Harkins (I think were their names). Melville and Harkins were the names of the men?—Yes, quite so.

59,695. You remember that discussion?—Yes.

59,696. And that brings it to your mind. It was then you first heard that Mr. Nolan was connected with the physical force party?—Yes.

59,697. You had no reason at all for getting introductions from Mr. Nolan to friends in America, except, I suppose, by accident, he did happen to know members of the physical force party?—I had no reason in getting introduction?

59,698. Yes?—I never did receive any introductions from Mr. Nolan to friends in America personally. I understood from Mr. Nolan at the time of the general election that he had written out to friends of his asking them to support me.

59,699. What friends?—He never mentioned any names to me.

59,700. I must put to you, Mr. Parnell, except in connexion with Mr. Nolan's acquaintance with the physical force party and its leading members, can you suggest any section to whom Mr. Nolan could communicate in America with a view to your reception?—I do not suppose or assume that Mr. Nolan communicated with any section. I assume that he communicated with his own personal friends.

59,701. Well, I must put it again. With reference to your visit to America, can you suggest any introductions which would be of service to you and your scheme or your project at that time except introductions to the members of the physical force party?—I will allow you to assume, if you desire to do so, that he may have communicated amongst others to men of that description, but I have no particular knowledge.

59,702. It is not a question of my being allowed to assume anything. I am in pursuing my duty, asking you certain questions. I put it distinctly to you. Can you suggest any other persons or class of persons to whom Mr. Nolan could write other than the physical force section?—Certainly. He might have written to many people—to persons unconnected with the physical force section and to persons who were.

59,703. Very well. Now, just listen to your own speech. I am referring, my Lord, to page 2259. It is on the 5th December 1885. Now, observe, Mr. Parnell, first that is more than two years before this discussion in the House of Commons.

“ I wish to say a word as to the choice of the convention, Mr. Nolan.”—What was the convention that had chosen Mr. Nolan?—The convention was a convention, I think, which was held at Drogheda in the county of Louth.

59,704–5. Were you the president of it?—No.

59,706. Had you anything to do with it?—I summoned it.

59,707. Did you send down your selection or nomination of persons to the convention?—No, I never suggested anybody to the convention, so far as I can recollect.

59,708. Are you sure?—I cannot speak absolutely with certainty.

59,709. Well, but try and recollect?—My impression is that I did not suggest the names of anybody to any convention during the election beforehand, before the convention.

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CHARLES STEWART PARNELL.

[Continued.]

59,710. Were you at the Convention?—No, I was not at the Convention——

59,711. Who represented you?—But Mr. Nolan was undoubtedly the representative of our party; the person whom we wished to have elected.

59,712. Did any person represent you at the Convention?—I should think so.

59,713. Who?—Probably one or two Irish members.

59,714. Do you remember who?—I do not recollect now.

59,715.

“I wish to say a word as to the choice of the Convention, Mr. Nolan. Those who know him best know that in days gone past, when there was danger to life and liberty to be faced, he did not shrink that danger.”

Did not that refer to Fenianism?—It undoubtedly must have referred to Fenianism.

59,716. Did you know in 1885 he was a Fenian?—I must have heard of it.

59,717.

“He is a man who has come from a neighbouring county, and he is well known among you. I myself, and the great movement of the Land League which we formed some years ago, and in which we were not helped by Mr. Philip Callan, however much we may have been impeded, was under considerable obligation to Mr. Nolan when I went to America.”

I call your attention to the statement that those who knew Mr. Nolan best knew he did not shrink from danger in a matter which you admit referred to Fenianism.

“In that year Mr. Nolan wrote out to friends in America, and got them to give me the right hand of fellowship, and throughout the whole of the United States, wherever I went, I found no stronger or more true men to stand by my side than the men whose sympathy and support Mr. Nolan had enlisted for the great movement.”

Mr. Parnell, did you mean that to be understood by your hearers as being persons interested in the physical force movement or not?—Probably it was capable of that interpretation.

59,718. Can you suggest any other interpretation which, spoken to the audience which it would be addressed to, at such a meeting as that, would be put upon it?—It might have been so taken by some of the audience and in different ways by others. It might have been taken in that way. It was capable certainly of being taken in that way by some and in a different way by others.

59,719. Now, Mr. Parnell, do you suggest that any person hearing that speech would take it in any other sense than that Mr. Nolan had introduced you to person with whom he had connexion, because of his previous connexion with the Fenian Party?—I certainly think so, because the only way in which it is capable of the interpretation you suggest is by taking it in connexion with the previous sentence.

52,720. But I have read every word as it was delivered, and it is not suggested to be otherwise than an accurate report. Do you know any person now whom you will pledge your word or pledge your recollection was written to by Mr. Nolan other than members of the physical force party?—I do not know of anybody who was written to by Mr. Nolan.

59,721. What did you mean when you said “wrote out to friends in America and got them to give me the right-hand of fellowship”?—He told me that he had written to friends of his in America and various places, and asked them to support me.

59,722. “And throughout the whole of the United States I found no stronger or more true men to stand by my side than the men whose sympathy and support Mr. Nolan had enlisted for the great movement”?—That is an electioneering exaggeration.

59,723. That is your statement—that is an electioneering exaggeration?—It is more or less true.

59,724. Do you know whether Mr. Nolan is a Fenian at the present time?—I do not think he is; I have no reason to suppose that any members of my party have had any connexion with the physical force movement since they became members of the party.

59,725. Have you any fact which you can now state to their Lordships which enables you to say that you know Mr. Nolan severed his connexion—any fact you can state, or any reason to believe that he has?—I have no reason to believe that he is a member of the physical force party at the present moment, or has been for many years.

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[Continued.]

59,726. What has happened, or what has come to your knowledge to enable you to say he has ever severed his connexion?—I cannot say that I have ever spoken to Mr. Nolan, on the question of his connexion with the physical force party.

59,727. You made no inquiry in the matter?—No.

59,728. Now I want if I can to dispose once and for all of the remaining matters in connexion with your American tour. I understand you to say you went out a stranger practically?—To America in 1879?

59,729. Yes?—I was no stranger. They knew me by reputation before that.

59,730. Of course you can give that answer if you wish. I quite understand you may have a world-wide reputation, but I am speaking of the individuals you met. They were strangers to you except in so far as they may have known of you by letters of introduction or known of you by repute?—All the individuals that I met were not strangers to me personally. The great majority of them were strangers, but I had met some of them before.

59,731. Did Mr. Alexander Sullivan arrange for your tour?—No, he had nothing to do with the greater portion of my tour. He may have arranged some of the meetings in the north-west, and I believe he did three or four of the meetings in the north-west, but otherwise he had nothing to do with my tour.

59,732. I must ask you, when you say Mr. Alexander Sullivan arranged for some of the meetings in the north-west?—Three or four of the meetings in the north-west were arranged by Mr. Alexander Sullivan, and three or four in the State of Massachusetts arranged by Mr. Boyle O'Reilly and Mr. Collins, and with that exception and with the exception of two or three meetings in Pennsylvania arranged by Dr. Carroll, there was no organisation whatever, and nobody arranged for our meetings except ourselves.

59,733. I will put my question to you in my own way, if you please. I call your attention to this statement in the "Nation" of the 23rd of June 1883 of Mr. Sullivan?—A statement by Mr. Sullivan.

59,734. A statement respecting Mr. Sullivan in the "Nation" newspaper of the 23rd of June 1883:

"He made arrangements for the famous trip of Messrs. Parnell and Dillon through the States of Illinois, Wisconsin, Minnesota, Iowa, and Missouri in 1880, and accompanied those gentlemen over much of the route."

(*Sir C. Russell.*) Those are the north-west.

(*The Attorney-General.*) Forgive me, Sir Charles, there is no necessity at the present moment to interpose. I am willing to be corrected if I make any mistake, but I am entitled to put my question without any interruption. I call attention to those five States, and the statement that Alexander Sullivan accompanied you over that route. Do you represent that that is not true?—I cannot speak for the States. I speak for the places in the north-west that we visited, and I think that it is true to state that Mr. Alexander Sullivan and the committee at Chicago arranged for those meetings in the north-west, and there were not many of them.

59,735. When did you first know that he, Mr. Alexander Sullivan, was a member—I think he was present at one or two meetings, but he did not accompany us.

59,736. I am referring to that specific statement in the "Nation" newspaper (we know what that means) that he accompanied you through the States of Illinois, Wisconsin, Minnesota, Iowa, and Missouri in 1880?—I have told you I cannot speak as to the States. I have told you, with regard to the meetings, some of them at all events in the north-west, Mr. Alexander Sullivan and the Chicago Committee arranged, and it is not true that he accompanied us upon our tour through those States. He may have been present at one or two of the meetings.

59,737. Do you mean that if he went to various places he went separately from you?—I do not know that he went to any place except the places that he went to with us.

59,738. I must put this in connexion with what I suggest to you about Alexander Sullivan—whether it is right, as Sir Charles Russell suggests, to call it north-west, or whether it is those five States he did accompany you?—No, I have already explained it is not so. He accompanied us to one or two of the meetings, but he did not accompany us throughout our tour in the north-west.

59,739. I am afraid I asked you yesterday, but I am not quite sure. When did you first know that Mr. Alexander Sullivan was connected with the Fenian Brotherhood?—I did not know of Mr. Alexander Sullivan's connexion with the Fenian Brotherhood until I heard the testimony of Le Caron.

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[Continued.]

59,740. You had no knowledge of it whatever?—No knowledge of it whatever. In assuming that he is connected with the Fenian Brotherhood I make the large assumption that that testimony is true.

59,741. Are you drawing any distinction between Fenian Brotherhood and Clan-na-Gael?—No, I am speaking now of the Clan-na-Gael.

59,742. Then I understand you to say that until Le Caron's evidence you had no knowledge Sullivan was connected with the Clan-na-Gael?—Not the slightest.

59,743. Or never heard that it was alleged?—No; I never heard that it was alleged.

59,744. Now, I must take one or two other names if you please, with reference to persons who did personally arrange for your meetings and visits. I am confining myself to that. Did Dr. William Carroll arrange all your meetings at Philadelphia?—Dr. William Carroll arranged for our meetings in the coal and iron district.

59,745. I am not sufficiently acquainted with America to know whether Philadelphia is in the coal and iron district or not?—The coal and iron district is in Pennsylvania. Philadelphia is the capital of Pennsylvania.

59,746. I admit my ignorance. I was not aware that was so described. Then you accept the statement I put that Dr. William Carroll arranged for your meetings in the coal and iron district, including Philadelphia?—I cannot say as to the arrangements for the Philadelphia meeting. I think the arrangements for the Philadelphia meeting were in the hands of a large committee, but he certainly arranged for our meetings in the coal and iron district of Pennsylvania, or for most of them,

59,747. Dr. William Carroll was the president of that very committee. Did he himself get it together?—He was probably a member as he was president of the committee, as you state.

59,748. O'Meagher Condon was, I think, one of the released prisoners in connexion with the Brett murder, was he not?—I think so.

59,749. Did O'Meagher Condon arrange for your meetings at Washington?—Not so far as I know. He took a prominent part on the reception committee, and he may have been the chairman.

59,750. I put it to you. At Washington was not O'Meagher Condon chairman of your reception committee there?—It is very possible he was. I have no specific recollection of the fact.

59,751. Did O'Meagher Condon arrange for your reception—I think it was at Congress you spoke of making a speech, was it not?—At Congress, yes.

59,752. Did O'Meagher Condon arrange for your introduction to the American Congress?—I do not understand that.

59,753. But do you say he did not?—The resolution was introduced by some United States Congressman, and it was carried by a majority of 96 to 46.

59,754. Forgive me, do not run on to matters which do not relate to my specific question. You have already stated both about the resolution and the majority. I am asking about arranging for your introduction?—I should think my introduction—the proposal to enable me to address the Congress—was suggested by the committee at Washington.

59,755. I understand you to state that to the best of your belief this statement is untrue?—I have not said anything of the kind. I have not heard the statement yet.

59,756. I understand you to say, quoting your previous answer, that you believe this statement untrue alleged to be made by O'Meagher Condon;

(*Sir C. Russell.*) What are you reading from?

(*The Attorney-General.*) I am reading from the "Irish World."

(*Sir C. Russell.*) What date?

(*The Attorney-General.*) Of the 14th June 1884.

59,757. I ask you whether you believe this to be true or not, speaking of the Clan-na-Gael.

"The members had just reason to feel proud of the success which had attended their efforts in putting the issues between England and Ireland in their true light before their fellow citizens, and producing a warmer sympathy for the oppressed. A few incidents might be cited. They [that is, the Clan-na-Gael] had procured for the leader of the Irish party the high honor of an invitation to address the House of Representatives in session."

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[Continued.]

Of course, O'Meagher Condon it may be is saying what is untrue; but assuming that statement to have been made by O'Meagher Condon, speaking of the Clan-na-Gael, do you say, to the best of your belief, that is without foundation?—I did not gather from the statement that they represent the Clan-na-Gael.

59,758. Be good enough kindly to take it from me. My learned friends can look at the extract in the paper of June 14th, 1884, in O'Meagher Condon's speech referring to the Clan-na-Gael. I wish to put it to you, if O'Meagher Condon made that statement on the 14th June 1884, speaking of the Clan-na-Gael, do you now before their Lordships allege to the best of your belief that is not true?—I know nothing about O'Meagher Condon's participation, except that he was chairman of the committee, and took a leading part in our reception. I know nothing whatever as to the action or alleged action of the Clad-na-Gael in the matter.

59,759. You say now that he was the chairman of the committee, and you believe the committee got it arranged?—Yes.

59,760. I will read another part of this passage:—

“Davitt, Parnell, and Dillon, had been their guests, and had expressed their warmest appreciation of the welcome and aid which they had received from the Clan-na-Gael.”

Do you believe that statement to be untrue?—I certainly believe it is untrue; but I never expressed any approbation or appreciation of assistance rendered to us by the Clan-na-Gael, or ever knew of any such assistance.

59,761. Then you say, if true, it is news to you?—It is probably a piece of bounce.

59,762. That is your suggestion?—Yes. Of course, the different sections in America had from that date to this been claiming the credit for the whole thing amongst themselves and disputing about it.

59,763. No; I am referring in every case to contemporary reports. Now, make no mistake about this?—Yes; I say that the different sections have been claiming the credit.

(*Sir C. Russell.*) You did not say so. That is, in 1884, referring to events in 1879 and 1880.

(*The Attorney-General.*) Referring to the persons who, I allege, at these places were the chairmen or the active persons to arrange for your meetings: I am referring, in every case, to contemporary reports. The particular one with reference to the House of Representatives, as appeared from the date I gave, was in 1884; but do not think I am referring to any *ex post facto* statement in any other instance.—Well, I say the different sections, the “Irish World” section, the Clan-na-Gael section, and the Conservative section, have been from that day to this disputing amongst themselves as to which the credit of the success of my tour in America was due.

59,764. Never mind from that date to this. Will you tell me, as you put that upon me, a single Conservative organ or a statement of any Conservative organ made in the year 1880 which claimed in America the success of your tour?—I daresay I can find such statements.

59,765. It is not “I daresay I can.” You have now said from that day to this the organs have been claiming it?—I said the different sections appear to have been disputing among themselves from that day to this as to whom the credit of the success of my movement was due.

59,766. You are being examined upon your oath, and I put to you, will you be good enough to tell me one single statement which you now have in your mind, made in 1880, that any section except the Clan-na-Gael claimed the success of your tour, made in 1883, please?—I have never even seen the statement before, that you have just read, of any specific claim advanced in a newspaper.

59,767. That is not an answer you know to my question. I am not putting any specific claim made. I am putting to you alleged facts. In reply to those alleged facts you state that the Conservative party, or Conservative section rather, in America, made claims to the success of your tour?—Certainly.

59,768. Will you kindly refer, if you have it in your mind, to any contemporaneous report supporting that allegation?—I speak of what is a matter of notoriety known to everybody connected and concerned in American politics—that these sections have

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[Continued.]

been disputing, and that there has been this rivalry going on amongst them as to the credit due to each for the success of my trip in 1879 and 1880.

59,769. Now I must take two or three more places. Newhaven, Connecticut; do you remember who was the chairman of the reception committee there?—No, I do not recollect Newhaven.

59,770. Was it James Reynolds?—I do not remember; but it is possible that it was.

59,771. Did you bring home a newspaper report of the proceedings at every single place you attended?—No; I brought home some newspaper reports.

59,772. A good many?—Yes, a good many. In fact, I am inclined to think that originally I did bring home a newspaper report of all the proceedings at these meetings, but the mice got into my portmanteau and devoured a good many of them.

59,773. I want your attention. If you wish to refer to any particular document, do by all means?—I am trying to see if I have a report of the Newhaven meeting with me, but I am quite willing that you should take it from me, if you wish, that Mr. Reynolds was the chairman.

59,774. Was Mr. James Reynolds a trustee of the Skirmishing Fund?—I do not know, unless you read his name out. It will be among the list, if so. I have no particular recollection.

59,775. Do I understand you to say that you had no knowledge until to-day as to whether Reynolds was a member and trustee of the Skirmishing Fund?—No, I cannot say I ever did see a list.

59,776. It is not seeing a list?—I certainly had no other knowledge, except I may have seen a list casually in the newspapers of the trustee of the Skirmishing Fund. I certainly had no other knowledge.

59,777. I must ask you to answer my question distinctly. Do you now say that you have never had any information, until I read out that list, that James Reynolds was trustee of the Skirmishing Fund?—Certainly, and I did not know it at the time of my tour in America; and if I have ever heard of it since it has been simply by seeing references to it in some newspaper.

59,778. Now, as to Chicago. You stated yesterday, you know, that the only thing, as I understand you—I do not wish to misrepresent you—the only thing that Finerty did was to attend one of your meetings at Chicago?—Excuse me. I said Mr. Finerty and Mr. Stone, and another gentleman, whose name I did not recollect, came to New York as a deputation from Chicago, to invite me to address a meeting there.

59,779. That was at New York?—He came a long distance.

59,780. Chicago. Did not the Honourable—I believe he is called the Honourable—John F. Finerty?—He is a member of Congress.

59,781. Subsequently, but not then?—Yes.

59,782. Did not John F. Finerty, subsequently a member of Congress, arrange and take charge, as the expression is, of you and your friends—you and Mr. Dillon—in all your proceedings in Chicago?—Certainly not. He took a prominent part in the proceedings in Chicago as a member of the committee.

59,783. Did you know that Finerty was a member of the Clan-na-Gael?—No.

59,784. When first?—Well, I heard of Finerty as being a notorious man, who makes loud speeches about dynamite, but I do not know that I have ever heard that he was a member of the Clan-na-Gael.

59,785. When did you first know of Finerty as being a notorious man, who makes loud speeches about dynamite?—After the dynamite movement, originally in 1884.

59,786. How soon after 1883?—As soon as I saw his speeches reported, or heard of their having been made.

59,787. When did you hear of his speeches being reported?—I should think I heard of his speeches being reported soon after they were made.

59,788. From whom did you hear it?—I cannot say, except as a matter of notoriety and comment.

59,789. Among the members of your party?—Among the members of my party. We spoke among ourselves of Finerty as being a very violent and foolish man.

59,790. And a dynamiter?—Well he represented himself to be, and advocated the use of dynamite very strongly.

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[Continued.]

59,791. In 1883?—1883. I suppose it was about the time that Mr. Ford started his Emergency Fund.

59,792. Do you know one way or the other, Mr. Parnell, whether at the later convention, attended by your representative, Finerty has been present, and has taken a part in these proceedings?—I know that at one of the conventions, at least I saw it reported in the newspapers, that at a meeting at which Mr. Devoy attended, he made a violent speech, and was rebuked by Mr. Davitt in his speech for what he said, and that he apparently was acting in opposition to the organisers of the promotion of the convention.

59,793. Now just observe. You now refer to one particular occasion on which you say you do know that Finerty met Mr. Davitt and that something took place?—Yes.

59,794. My question to you is, did you or not know that at the later conventions at which Mr. Arthur O'Connor, Sir Thomas Esmonde (if I remember rightly), and other representatives were, that Finerty was taking a prominent part in the proceedings?—I only know what I have told you about Mr. Finerty, that he appeared to have been acting the part of a disruptionist at this convention.

59,795. Is that all you know?—That is what I know.

59,796. Have you ever in any writing or any speech repudiated Mr. Finerty?—No, I have never had occasion to repudiate him. I consider that I repudiated him in my speech in the House of Commons when I repudiated Patrick Ford.

59,797. (*Sir C. Russell.*) February 1883, I think?—I consider that in that speech I repudiated every dynamiter in America.

59,798. In your speech you repudiated every dynamiter in America?—In my speech in the House of Commons in answer to Mr. Forster I think it was.

59,799. When?—In 1883.

59,800. I will take your view and your answer at once, succinctly. You refer to your speech in the House of Commons in 1883?—Yes.

59,801. May I take it that except that speech you are unable to show me any speech of yours repudiating Mr. Finerty?—Certainly. I made very few speeches in those days except in the House of Commons, and in the House of Commons we had to speak *ad rem*.

59,802. What?—In the House of Commons we had to speak *ad rem* and that was one of the opportunities when I was able to speak and to express my disapprobation of Mr. Finerty and I did so.

59,803. On the 12th December 1882, did you write this letter to Mr. Finerty:—

“ House of Commons, December 12th, 1882. My dear Sir, Your election to Congress has given me and my friends the greatest pleasure and satisfaction, and we hope that your return may be only the beginning of the accession to Congress of many prominent Irishmen.”

(*Sir C. Russell.*) Where is this document?

(*The Attorney-General.*) I will tell you in a moment.

(*Sir C. Russell.*) I am entitled to know at once.

(*The Attorney-General.*) I am entitled to put it to him first.

(*Sir C. Russell.*) You are entitled to call his attention to it but not to read it.

(*The President.*) To ask whether he wrote it.

(*Sir C. Russell.*) But not to read it all through.

(*The President.*) The Attorney-General is entitled to read the letter, and to say did he write that.

(*Sir C. Russell.*) With great deference, my Lord, to call his attention sufficiently to the letter, and to ask him did he write it.

(*The President.*) No, to read it, and to ask him. He might recite it from memory.

(*The Attorney-General.*) I have not the smallest objection to telling you where it is from—it is the “Nation,” January 20th, 1883. I respectfully protest and say that my friend’s interruption was not called for by anything I was doing irregularly.

(*The President.*) I have already said I do not think it was called for, but, at the same time, I think you might as well have mentioned where you got it from. Try and grease the wheels.

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[Continued.]

(*The Witness.*) I have no objection to admit I wrote that.

(*The Attorney-General.*) [*Reading.*]

“ While I congratulate you as your personal friend, and as one who has
 “ experienced much kindness and attention at your hands, it is unnecessary for
 “ me to say that I am also sensible of the great boon it is to our cause, both in
 “ this country and in America, that Irishmen distinguished in our movement
 “ should have such an acknowledgement made to their worth as American citizens,
 “ as that shown by your return to the House of Representatives at Washington.

“ I am yours very truly,

“ CHAS. S. PARNELL.”

59,804. What is the earliest date which you now say, and it is your recollection, that you heard of Finerty's dynamite speeches?—I should think not until early in 1883.

59,805. This, you know, appeared in the “Nation” of the 20th of January 1883. Will you undertake to say it was not before that?—This letter appears to be dated December 12th, 1882.

59,806. I said so?—I plainly had not heard of his dynamite speeches then.

59,807. I called your attention to the fact that it appears in the “Nation” of the 21st of January 1883. My question to you is, will you undertake to say you had not heard before the 20th of January 1883 of Finerty's dynamite speeches?—Before the 20th of January 1883?

59,808. That is my question?—My impression is I did not hear of the change in the policy of Patrick Ford until towards the end of the year 1882 or the beginning of the year 1883.

59,809. I was not asking you about any change in the policy of Ford?—As to Mr. Finerty's share in the dynamite business, or rather his speeches upon the dynamite question, I should think I did not hear of them until some time later. I am quite sure I had not heard of them at the time I wrote this letter.

59,810. You will not undertake to say you had not heard of them on the 20th of January 1883; but do you think it was early in January?—I think it was probably early in 1883 I heard of his speeches.

59,811. I understand you to admit that beyond the speech made, whatever it may have contained with reference to Ford and dynamite in the House of Commons, you have not in any speech of which you can produce me the report, either withdrawn your support of Mr. Finerty or repudiated him?—The general condemnation of Mr. Patrick Ford, and the operations in which he had engaged in 1883—in 1882—was, I consider, sufficient to mark my disapprobation of that section.

59,812. Has Mr. Finerty been continuously making dynamite speeches since the beginning of 1883—since the date you mentioned?—That I cannot say. I cannot say I ever read a speech of Mr. Finerty's. I spoke of the impression which was formed on my mind by the talk, and the reports made to me in reference to Mr. Finerty, that in 1883 he came amongst us, to have the reputation of being a violent and foolish man, who was advocating criminal and unlawful policy.

59,813. Now I should like to ask you about the chairman of the reception committees at the various places—who may have attended? Devlin did, you say, on your landing. Speaking of the chairmen at the reception committees at any of the principal places you visited, will you tell me one chairman who you will pledge your knowledge not to have been a member of the Clan-na-Gael?—I have no knowledge as to members of the Clan-na-Gael at all, but my belief is a great majority of them were not members of the Clan-na-Gael.

59,814. Tell me one chairman of your reception committee who will pledge your belief not to have been a member of the Clan-na-Gael?—I should think the great majority were not.

59,815. Will you tell me one?—As I told you, I had no knowledge of who were or were not members in the various places I visited; but the impression I formed from the position of the men who came to meet me at the railway station, the chairmen of the reception committees—the position of the chairman who presided at our meetings, and the position of the speakers who spoke there, that they were not members of any secret or revolutionary society.

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[Continued.]

59,816. It is not a question of impression—I ask you, will you give me the name of any chairman of your reception committee, other than those I have mentioned to you, as to whom you will pledge your belief that he was of the Clan-na-Gael. I am confining my attention to the chairman of the reception committees?—If you had asked me the question at the time, I should have said to you my belief was that none of them were members of the Clan-na-Gael. If you will show me the list of the chairmen, I should be glad to tell you those who I now think may have been members of the Clan-na-Gael at the time.

(*Sir C. Russell.*) Have you got a list of the New York reception committee. Mr. Devlin you have accepted, he was chairman of the reception committee in New York.

59,817. (*The Attorney-General.*) Amongst those names—are you looking for something?—I was trying to see if I had any memorandum about the chairmen of the reception committee, but I will look them up, and, as far as I can, furnish you with their names, I should be very glad to do so.

59,818. I am not sure I am giving you the exact date, but you have said you never heard of Mr. Sullivan being a member of the Clan-na-Gael until Le Caron gave his evidence?—Until Le Caron gave his evidence.

59,819. Will you pledge your word that that was not stated in your presence in the House of Commons—in your presence in the year either 1886 or 1887?—I do not recollect it.

59,820. Will you swear it was not?—I do not recollect having heard or seen the statement in the House of Commons.

59,821. Now, I have only at present a newspaper report of your speech; I believe it to be April 1887:—

“ I further said that I did not know who the leaders of the Fenian organisation in this country or America were, but the noble Lord says he knows who they are. He tells us Mr. Alexander Sullivan was president of the Clan-na-Gael and Fenian organisation. I asked him how he obtained his knowledge. He said that he obtained it as a member of the Government. That may be; but I am not in the possession of the information with regard to the Clan-na-Gael which is possessed by the members of the present or late Government. The Clan-na-Gael is a secret organisation. It is an oath-bound organisation. It gives no information with regard to its members to persons who are not members. I presume that the Government obtained its information with regard to Alexander Sullivan through its secret agents in America; they are means which are not open to me as a private person or public politician.”

There is your own speech in 1887. Did you make any inquiry after April 1887 whether it was true that Alexander Sullivan was a member of the Clan-na-Gael?—No, I cannot say that I did.

59,822. Do you adhere now to your statement that you never heard before Le Caron gave his evidence that Sullivan was a Clan-na-Gael?—When I made that statement I of course referred to information from sources I could correct.

59,823. Now, Mr. Parnell, I have a question or two which I must ask you about your leaving America. Do you remember the committee of seven being appointed by the gentlemen you had summoned to the final meeting at New York. I think it was at New York?—I cannot say that I recollect the details.

59,824. I think it is called the New York Hotel Conference?—The report of the proceedings there have been already handed in.

59,825. Do you remember the Committee of seven being appointed to prepare the constitution of the National League of America?—I do not recollect that specific fact, but it is very probable that it was so. I think it is stated in the document which has been handed in.

59,826. Do you know whether four of the names of that seven were men whom you have admitted to me you now know to be members of the Clan-na-Gael Association? I am quoting it from memory—Devoy, William Carroll, Reynolds, if I remember right, and—?—The committee of seven?

59,827. Wallace Devoy, Meeney, Breslin, William Carroll. Did you know that those were—

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[Continued.]

(*Sir C. Russell.*) Who were the other three?

(*The Attorney-General.*) I cannot put my hand on them. I think one is Kearney.

59,828. I will try and give you the other three if I can find it. Do you know whether or not these men did form the members of a committee left behind to organise the Land League of America?—I cannot tell you without reference to the document which has been handed in what they were appointed for. My impression about Dr. William Carroll is, that he left the meeting and refused to take any part in the formation of the Land League; in fact, that is so. I doubt very much whether he could be appointed on the committee of seven.

59,829. You do not suggest that with regard to Devoy?—No, Devoy remained. I fancy that the William Carroll you refer to must be some other William Carroll than Dr. William Carroll.

59,830. I must put this to you in connexion with John Devoy, as to whom I have to ask you a question or two. You are aware now that a very long correspondence appeared in the "Nation" in the year 1878, signed by John Devoy?—Yes, I heard of that correspondence.

59,831. Did you hear of it at the time?—I do not know that I did—not at the time when it was published in the "Nation."

59,832. I want to put to you with reference to this. There is, as we know, in the "Nation" a long and argumentative correspondence respecting the new departure which I suggested to you. I am referring to the "Nation" and the "Freeman." I suggest to you—I may be quite wrong—but I suggest to you that the "new departure" was the name of the combination between the physical force section and the Land League?—That is what you allege.

59,833. I know; that is my allegation. I want to be perfectly fair with you. Now, do I understand you to say that correspondence, or no part of it, came to your notice at the time of its being written?—Certainly you may take that. I doubt very much whether I have read it to this day.

59,834. Was it not the subject of repeated discussions of the leading agitators in Ireland during the latter part of the year 1879?—I certainly never heard it discussed—not in those months.

59,835. Then I may take it from you that your present recollection is that they were wholly ignorant of what was going on and being discussed in the National papers—the "Freeman's Journal," the "Nation," and, I will add, the "Irishman"—in the early part of 1879?—I clearly knew nothing of that correspondence till long after.

59,836. When?—Oh, I cannot say.

59,837. About how long after?—I cannot tell you in the least.

59,838. It might have been any time. Was it before this case?—It must have been before this case, undoubtedly.

59,839. How early?—I cannot tell you in the least. I have not the slightest idea. It may have been a year before, or five years—I have not the slightest idea.

59,840. Do you know of the term "new departure"?—It is a term I must have heard during the years.

59,841. Do you mean to represent to my Lord that you had no knowledge in 1879 of what "new departure" meant?—"New departure" I understand to mean, if I ever heard the meaning—I understand the term new departure to mean the formation of the Land League movement, combining the agrarian and political question.

59,842. I put to you it was the formation of the Land League movement; combining the people who had previously advocated physical force with those who were urging the new land agitation constitutionally?—Combining the physical force movement with the constitutional movement? Certainly not. My definition of the "new departure," as far as I ever heard the expression used in Ireland, and I cannot say I ever heard it used frequently in Ireland, if at all, is that it was a combination of the political with the agrarian movement.

59,843. I again put it to you. You talk of the combination of the political with the agrarian movement. Do you represent that it did not come to your knowledge that it was commonly discussed in the columns of the National papers as the combination between the Nationalist or physical force party and the Land League party?—Certainly not; I knew of no such discussion.

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59,844. If you give me that distinct answer I do not want to put a number of passages to you, but I must put one—it is at page 2767, and is in the “Nation,” of November 1878, and that will tell you why I suggest to you it was discussed at length in the columns of papers of that date.

“The change, it is said by those competent to speak on the subject, will take the shape of a combination between the advocates of physical force and those who believe in constitutional agitation, such as will leave the former free to prepare for active work, while in the meantime giving a reasonable support to a dignified and manly demand for self-government as the part of the Constitutionalists.”

Do I understand you to say you never heard of that?—I never heard of any such statement or definition.

59,845. Do you know of the letters signed by John Devoy, two of which have been put in, which formed the subject of the subsequent controversy in the columns of the “Nation”?—I have already given you my answer about these letters; but my knowledge of the correspondence at that time has been gained since.

59,846. First, I will ask you, do you not know that 5,000 copies of the Devoy letters were printed at the expense of the Land League, and circulated throughout Ireland?—No, I do not.

59,847. Do you deny that?—I have never heard of it, as far as I can recollect.

59,848. Do I understand you to say that you never heard that 5,000 copies of the Devoy correspondence were circulated at the expense of the Land League?—As far as I know, I have no recollection of ever having heard of such a thing.

59,849. Do you mean that you never heard it at all, or heard it from a source you do not believe in?—As far as I know, this is the first time I have heard of it.

59,850. Was it not stated in your presence by Mr. Forster?

(*Sir C. Russell.*) I am sorry to interrupt my friend. He was understood to say it was a passage from a leading article in an Irish paper; it is not so. It is from a letter.

(*The Attorney-General.*) I did not say an article,

(*The President.*) I simply took down “Nation.”

(*Sir C. Russell.*) I would like the shorthand note read. [*The shorthand writer read the notes.*]

(*The Attorney-General.*) My Lord, it is not very important.

(*Sir C. Russell.*) I think it is very important. It is not a leading article.

(*The President.*) Whether the Attorney-General said one thing or not is not of importance. He may have made a mistake.

(*Sir C. Russell.*) No, but the fact.

(*The Attorney-General.*) It makes not a particle of difference.

(*The President.*) We will not stop to ascertain whether you said it was from a leading article or from a letter. You said the “Nation,” and now it is stated, and I took a note of that, that it is a letter and not a leading article.

(*Sir C. Russell.*) It is an extract from the “New York Herald.”

(*The Attorney-General.*) As a matter of fact, I believe it is a leading article. I have not got it before me at present.

59,851. Did the signed letters of John Devoy appear in the paper with his name to them. You know that now?—I know that now.

59,852. Now, my question to you is this, and it is very specific. I desire to call your Lordship’s attention to page 3327, merely for your Lordship’s note. Did not Mr. Forster in your presence in the House of Commons, in March 1883, state this? I will read this passage in the speech. I have to ask another question about it directly, but I will read this passage first, referring to you, Mr. Parnell.

“Did the honourable member keep himself in ignorance of speeches such as that? Can we imagine that he did not know what effect they would have? They had two effects: they brought money into the Land League treasury, and thereby increased his powers; they stimulated to murder and incited to outrage. We have John Devoy alluded to. He made very strong statements with regard to an extensive system of firing cities. Has the hon. member thought it worth

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“ while to try and find out what sort of agitation Devoy was conducting. He ought to have done so before he made use of it. It was proved in evidence.”

And I tell you that referred to the State trials.

“ It was proved in evidence that the printing manager of the Land League printed 5,000 copies of Devoy's letters for distribution.”

Now do you recollect that statement being made in your presence?—I do not recollect it at all, but I have no doubt it was made, and I very possibly was sitting there, and did not pay sufficient attention to it.

59,853. Will you undertake to say it is not the fact that Devoy's letters as to the “ new departure ” were printed by the Land League and circulated by them through Ireland?—I suppose they were if it was proved in evidence, but I have no knowledge of it whatever.

(*Sir C. Russell.*) I think the Land League printer's manager printed them.

59,854. (*The Attorney-General.*) I do not draw any distinction between these refinements whether it was the Land League or the printing manager. Who was the printing manager of the Land League?—I do not think there was any printing manager as far as I know.

59,855. I am putting the sentence and not the form to you, and I wish to know whether, before their Lordships, you now say to the best of your belief it is true or untrue, that the copies of Devoy's letter were printed at the expense of the Land League?—I have never denied that they were printed at the expense of the Land League. You are perfectly welcome to take it that they were printed. I told you I had never heard, as far as I knew, that they were printed at the expense of the Land League until you asked me the question.

59,856. And circulated by the Land League—that you have never denied?—Very possibly, but I knew nothing about it.

59,857. Do you not believe that to be the fact?—I believe it to be the fact after what you have read to me from Mr. Forster's speech, but I have no other reason for knowing it to be the fact.

59,858. A few moments ago you stated you had never heard of the circulation until I mentioned the fact to you in my question which I put to you. How could such a matter as that, a positive fact with reference to John Devoy, have escaped your attention?—A great many assertions are made in parliamentary speeches which very commonly escape my attention.

59,859. Respecting your own connexion with such a man as Devoy?—Respecting any matter. I do not at all pledge myself that I listened to everything stated in the speeches, even by so important a man as Mr. Forster.

59,860. The important person in that speech was yourself, because it is pointed to you “ Did the honourable member keep himself in ignorance of speeches such as that? “ Can we imagine that he did not know what effect they would have? They had two “ effects: they brought money into the Land League treasury, and thereby increased “ his powers; they stimulated to murder and incited to outrage. We have John Devoy “ alluded to. He made very strong statements with regard to an extensive system of “ firing cities. Has the hon. member thought it worth while to try and find “ out what sort of agitation Devoy was conducting?” Of course I do not want to comment upon that now, but I call your attention to this, that, seeing these were the representatives, that you did not think it worth while to make inquiry whether those allegations were true?—The allegations as to whether negotiations with Devoy were being conducted?

59,861. Yes?—I had telegraphed early in 1881 to Mr. Devoy to know whether certain statements which he had made were true, and I had received his reply, and that is the only matter that I know of that was brought forward at that time by Sir William Harcourt in the House of Commons.

59,862. That was a statement of his having sent a threatening telegram to Sir William Harcourt—the “ stamp out ” telegram?—I think so.

59,863. The reply was he had sent a telegram?—I know nothing about the proposals to burn cities.

59,864. My particular point at the present time is that, bearing in your mind that a distinct statement was made in your presence that Devoy's letters were circulated——?

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I think it is very probable that I was sitting by listening to Mr. Forster's speech on the day in question.

59,865. Among the men you have mentioned, and as to whom I have cross-examined you at very considerable length with reference to your connexion in America, is John Devoy. Do you now know, one way or the other, whether John Devoy had a great deal to do with the consultations with Mr. Davitt in the formation of the policy?—I know generally that John Devoy was very much interested in the success of the Land League in America, and that he took that interest before I went out to America.

59,866. You knew generally that John Devoy and Mr. Davitt were consulting respecting these matters in the years 1878 and 1879?—I thought it probable. I do not say that Davitt ever specially told me that he was in consultation with Mr. John Devoy, but I should think at that time it must have been in my mind that Mr. Davitt would have seen Devoy, and that Devoy was in favour of the new organisation—that is to say, the Land League movement in Ireland.

59,867. I want first to call your attention to this. John Devoy had been a leading Fenian?—Undoubtedly.

59,868. You had had no public statement that John Devoy had ever ceased to be a Fenian?—Certainly not.

59,869. Do you suggest that you ever had any private statement that he had ceased to be a Fenian?—Never. I have never spoken to John Devoy about Fenianism at any time. I have never spoken to any of these men about Fenianism.

59,870. You know now that John Devoy was a member of the Clan-na-Gael?—I should think so. It is probable.

59,871. And a trustee of the Skirmishing Fund?—And a trustee of the Skirmishing Fund.

59,872. You told me yesterday you heard at the latter part of 1879 John Devoy had been in Ireland?—Yes. In the latter part of 1879. I told you that I knew that subsequently to his visit to Ireland I had heard that he had been there, but I did not specify the date at which I heard it.

59,873. I think, as a matter of fact, you said it was at the end of 1879. If you want to correct it you shall do so?—I heard he had been in Ireland after he had been there.

59,874. And before you left for America?—I cannot say as to that.

59,875. Have you any doubt about it?—I think it is very possible I did not know at that time, but I consider it as a matter of no importance, and I am perfectly willing that you should take it, that at the time I went to America I knew Devoy had been to Ireland in 1879, but I do not recollect.

59,876. Have you ever repudiated the Land League connexion with John Devoy?—The Land League connexion with John Devoy?

59,877. Yes?—That is to say, have I ever objected to John Devoy being a member of the Land League?

59,878. Have you ever severed your connexion, whatever it was, or the connexion of the Land League with John Devoy?—Certainly not.

59,879. Do you mean to say that John Devoy was not a man of whom you had had notice that he was a party to the most violent speeches, and an advocate of the most violent methods?—The only notice, apart from his having been treasurer of the Skirmishing Fund, which was before I went to America, and before the foundation of the Land League—the only notice that I ever had of any violent expressions by Mr. John Devoy which attracted my attention, was a notice by Sir William Harcourt in the House of Commons in 1881, in reference to which I at once took action by inquiring by cable of Mr. John Devoy as to its truth.

(*The President.*) I do not remember what that was.

(*The Attorney-General.*) I do not think the speech of Sir William Harcourt has been read to your Lordships. I have to read it in connexion with my present cross-examination.

(*The President.*) I wanted to appreciate Mr. Parnell's answer.

(*Sir C. Russell.*) He said he took steps at once.

(*The President.*) Yes, I wanted to appreciate that.

59,880. (*The Attorney-General.*) Sir Charles Russell shall have full opportunity of knowing the steps that were taken, I was going to ask him myself. I ask you this

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question. I have referred already to a speech just now by Mr. Forster, if I remember right, in the year 1883, where he referred to Devoy's doings, and I asked whether you made inquiries, and I think you have already told me that it was not the first occasion that Devoy's position had been brought prominently to your notice?—The first occasion was when Sir William Harcourt made the speech in 1881. I do not recollect Mr. Forster's reference.

59,881. I wish to read now, with reference to Mr. Devoy, two speeches made in your presence in the year 1881, and the first I will read is from "Hansard," volume 258, column 1695. Mr. Timothy Healy had spoken, and he was replied to by, among others, Sir William Harcourt, and I begin to read the passage at column 1695. The date is the 24th February 1881:

"I quoted some observations from a paper which I had not with me then, but which I have with me now, by a person of the name of Devoy, and the hon. member for Longford says"—

That is Mr. Healy, I believe?—That is Mr. Forster's speech.

59,882. No, this is Sir William Harcourt?—Can you tell me what the debate was about?

59,883. The debate was on the "Protection of Person and Property (Ireland) Bill" in February 1881?—That is the first Coercion Bill.

59,884. Mr. Forster's introduction of the Bill, or one of the Bills, which you went to the House of Commons to oppose?—Yes.

59,885. "Now, I will tell the hon. member for Longford——" the hon. member for Longford was Mr. Healy, I think.

(Mr. M. Davitt.) No, Sir George Errington.

(The Attorney-General.) Thank you.

"Now I will tell the hon. member for Longford, who has informed us that he is himself only a recent member of the Land League. But, perhaps, I know a little more of the history of the Land League than the hon. member for Longford, and I would like to explain to him who and what Mr. Devoy is, and why I referred to his sentiments as having a very material bearing on that question." My recollection is that it was Mr. Justin M'Carthy. I was not in the House?—Possibly. 59,886.

"Now I find that in May last year, not 12 months ago, a Land League was established in America, very much on the principle of what, in our military system we call 'linked battalions.' And who founded that Land League in America? It was founded by the hon. member for Cork city (Mr. Parnell). I have in my hand a newspaper of the 7th of May, containing a report of a meeting for the foundation of the American-Irish Land League, and upon that occasion there was present, amongst other people, Mr. John Devoy.

The report of the meeting of this provisional committee says that:—

"After a thorough discussion it was decided that an Irish Land League should be formed in the United States for the purpose of rendering moral and financial aid to the Irish National Land League in Ireland."

"Yes, and now I am going to explain to the House what is the moral aid which they offered to the Irish National Land League. What the financial aid is, we know. I saw in the papers this morning that the Irish Land League had, at its last meeting announced, I think, 1,300*l.* odd of subscriptions, of which 300*l.* was gathered in Ireland, and 1,000*l.* by this organisation in America. Now it is very material to show the House that this is very pertinent to the point I alluded to, and to which I am going to allude again. Now this committee held several meetings, and at the final meeting the names of the gentlemen suggested by Mr. Parnell were unanimously selected as a Provisional Central Council of the Irish Land League of the United States, and one of the principal members was Mr. Devoy. That is the origin of this American Land League. [Mr. A. M. Sullivan—who suggested Mr. Devoy's name.] Well, I think I will show you presently if you allow me to go on. The provisional Council having been so established, they proceeded to assemble in convention, and then there are mentioned many of the leading members who took part in the proceeding, one of those leading members being Mr. John Dillon, member for Tipperary."

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59,887. He had been left behind in America, Mr. Parnell, I think—Mr. Dillon had?—Yes.

59,888. As your representative?—Quite so.

59,889. Then—

“Next to him comes Mr. John Devoy, and Mr. John Devoy called upon Mr Dillon for a speech, so that Mr. John Devoy is one of the leading partisans in this affair, and thereupon Michael Davitt arrived in a Cunard steamer, and appears upon the scene. Therefore, we have the Irish-American Land League, founded under the auspices of the well known names of Parnell, Dillon, Davitt, and Devoy, and here they are all in action together on this occasion. And here I come to another meeting on the next day on this subject, and Mr. Michael Davitt the originator of the Land League in Ireland entered the hall, and was greeted ‘with enthusiastic applause,’ and then Mr. John Devoy got up and proposed a central treasurer. I just read this for the purpose of showing what the Irish-American Land League is—that it is an affiliated society acting under auspices formed by the same people, working together from that time to this with the Land League in Ireland, who coo like sucking doves here, holding very different language in a country where the law cannot reach them for offences of this character. Now I say that the language of the American Land League is the language therefore of recognised and authorised allies.

“It is a very different language, it is true, to what is held here. Objects are avowed by the Irish Land League of America which are secretly practised in favour of the Irish Land League here. Of course, some objects are not avowed—it would not be safe to avow them. There is in these matters an exoteric and an esoteric language. The exoteric is the language of America, and the esoteric is the language used in this country. They are very different, but I very much fancy that they mean exactly the same thing. I have shown you, at all events, that when I referred to the language of Mr. Devoy the other day, I was not referring to the language of a man with whom the Land League in Ireland or America can say it had nothing to do. Now, I should like very much to give the House, chapter and verse, as they might think that my memory was defective, and that I had exaggerated what was the character of the speeches made by this affiliated and recognised body of whom the leading members of the Irish Land League were the founders; and until I am corrected by authority, by somebody who says that the Irish Land League repudiates the American Land League—until they will get up here and say they repudiate that body from whom, week by week, they receive this money and these subsidies—and I may say they are entitled to repudiate the language of the leaders of that body—until they do so I consider myself entitled to read the language of the leading members of the American Land League. And here it is, and it is headed ‘What John Devoy says.’”

(*Sir C. Russell.*) What is that taken from?

(*The Attorney-General.*) I cannot tell you. I am reading the speech as it appears.

“‘The usual meeting of this branch of the Land League was held in their Hall, January 16.’”

That is of this year. I will not read the whole report, but one of the speeches.

“‘Mr. John Devoy entered the Hall, and was received with marked applause.’”

Then he says, speaking of the passage of this Act—

“‘It is then that the people, goaded into frenzy by studied injustice, may rise against some constituted authority. A local eviction, a collision with the soldiers may ensue, and our people be shot down in multitudes.’”

That language might be applauded, but the speech goes on—

“‘It is here that the office of the American Land League will be called into requisition.’”

Now this is the moral aid for which it was brought into being, and that it was to render to the Irish Land League. The speech continues—

“‘Will we, then, stand idly by, and see our people and country devastated, and content ourselves with enthusiastic resolutions and sympathies. Our aid

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“ ‘ has hitherto given the people the impetus that has brought about this state of
 “ ‘ things.’ ”

That is the financial aid.

“ ‘ Shall we desert them in their hour of peril? No; for every Irishman

“ ‘ murdered we will take in reprisal the life of a British minister.’ ”

Then there is a sort of arithmetical progression—

“ ‘ For every 100 Irishmen murdered we will sacrifice the lives of the entire

“ ‘ British ministry.’ ”

That is 100 lives for 14.

“ ‘ For every 200 Irishmen killed we will reduce to ashes the principal city of

“ ‘ England. For a wholesale massacre of the Irish people we will make England a

“ ‘ smouldering ruin of ashes and blood. The receipts of the Land League are now

“ ‘ 100*l.* per day, and that is ample for their wants, but we want a fund which

“ ‘ will aid us in carrying out the designs that I have already sketched for you.’ ”

Now that is what Mr. Devoy says. Mark those words :—

“ ‘ We want funds.’ ”—

59,890. (*The President.*) Is there much more of it, because that gives the point you know, that you have read, and very properly. It is a very proper point to bring out. Is that the passage you are referring to, Mr. Parnell, that you telegraphed to America about?—I think not. I think it was an earlier statement made by Sir William Harcourt.

59,891. Sir William Harcourt refers to a statement made earlier?—I am not sure, my Lord. I have no specific recollection of the passage of Sir William Harcourt's, but it was not at this period.

(*The Attorney-General.*) There are a few other passages I should like to read in connexion with the previous utterances of Mr. Parnell himself.

“ I said something the other day about the skirmishing fund. I know a
 “ great deal about that fund—a good deal more than probably the hon. member
 “ for Longford does. The other night when I mentioned it the hon. member for
 “ Wexford (Mr. Healy) showed that he knew something of it, because the said
 “ that the skirmishing fund had ceased to exist, or at least had become respectable
 “ its character. In the first place it has not ceased to exist. It is this fund
 “ that is here referred to, the fund for carrying out the objects which Mr. Devoy
 “ has sketched. That is the fund that is being subscribed for by those people in
 “ America. In another part of this same paper a reference is made to the skir-
 “ mishing fund. The hon. member for Cork city calls the affair at Salford a
 “ practical joke.”

59,892. I will refer to your speech about it directly, Mr. Parnell, but it is not true that you had but a few days before, namely, on the 22nd, described the dynamite explosion at Salford as a practical joke?—I understood at the time it was a practical joke—at the time I made the statement.

59,893. Were there people killed in it?—I believe someone was injured, but no one was killed, but I had not, at the time I made the statement in the House of Commons, full information of the matter, and I regret that I should have treated the matter so casually; I regret that that should have been done upon imperfect information.

59,894. Have you ever corrected that statement made up to this present moment with reference to the Salford explosion being a practical joke?—I believe I referred to it subsequently.

59,895. Or expressed any regret for it until this moment?—I referred to it in a subsequent debate in the terms that I have mentioned, that I regretted that I had made the statement on imperfect information.

59,896. If you can find that out in any of your speeches I will put it in. Your statement, which I shall have to read directly, was on the 25th of February, and this speech I was reading is on the 24th of February. There is another speech I have to refer to on the 4th of March. When do you say you ascertained the information which you had in your mind when you called this a practical joke was removed by better information?—Subsequently, some time afterwards, but as the time I cannot give any date.

59,897. When, Mr. Parnell?—I do not recollect distinctly.

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59,898. Will you pledge your word you ever gave that explanation?—My impression is that I made some explanation subsequently.

59,899. Will you pledge your word that you ever gave that explanation as to the statement with regard to the dynamite explosion at Salford until to-day?—I do not know whether I ever gave the specific statement that I have given to-day; but my impression is that I referred to the matter subsequently.

59,900. Referred to it in order to express regret?—To show that I had spoken without sufficient information, that is my impression, but it may not have been so.

59,901. Will you be good enough to search, or allow some of your numerous friends to search, for that passage to which you refer, and be good enough to put it in?—I do not positively pledge myself that I did make a subsequent statement about it. I say I have an impression that I did so.

59,902. It is a very terrible circumstance. I should have thought it must have been impressed upon your mind, a dynamite explosion at which persons were injured?—Yes.

59,903. That at one time you treated it as a joke?—I did not treat it as a joke. I said I understood it was an attempt at carrying out a practical joke, and we know that people are very often injured by practical jokes.

59,904. I will read on—

“ In another part of this same paper a reference is made to the Skirmishing Fund. The hon. member for Cork City calls the affair at Salford a practical joke. Yes, sir, it is for practical jokes of this kind that this Skirmishing Fund which Devoy and others collect is employed, for it is so avowed and boasted in these papers, and it is said—

“ ‘Subscribe to the Skirmishing Fund; it is worth your while; you see you are having your money’s worth; you have had the affair at Salford for it.’ ”

That is a quotation from Mr. Devoy?—Yes.

(*Sir C. Russell.*) A quotation from what?

(*The Attorney-General.*) It is a statement of Sir William Harcourt’s of Devoy.

(*Sir C. Russell.*) From what?

(*The Attorney-General.*) It does not state from what, Sir Charles.

“ A letter in this paper, dated London, reads as follows :—

“ ‘Look at those paragraphs from the London morning papers. The fire which destroyed the Edinburgh County Militia Barracks was purely accidental. In the House of Commons last night, in reply to a question, Mr. Childers said the Government were well aware of the circumstances in which they were placed, and were taking all proper precautions. That shows me that someone is striking our enemy with the Skirmishing Fund. Enclosed find my second monthly subscription of one dollar.—Patrick O’Connor, Broadford, Clare.’ Then a reference is made to the precautions taken with regard to Volunteer arms, and the comment upon that is ‘All right.’ What does that mean, but that this fund is subscribed for these very objects, and is used for these objects? Men like Devoy have their missaries, both in England and Ireland, who are held down only by the strong hand of the law. Let us tear off the mask of this conspiracy and unveil its secrets, so that the country may understand what is the character of the conspiracy which they have to face. It was on the 16th of January that Mr. Devoy’s speech was made. On the same day there was a speech made in Ireland—not in the same language, not quite so frank in its avowal; but it referred to future contingencies. It said—

“ ‘If your patience becomes exhausted by Government brutality, and every right, privilege, and hope which is your God-given inheritance be trampled down by vindictive power, the world will hold England, and not you, responsible if the wolf-dog of Irish vengeance bounds over the Atlantic.’ ”

Do you know who that was a quotation from?—I should think it is a quotation from a speech of Mr. Davitt’s in which he was denouncing outrage at the same time.

59,905. Do you say you have a recollection of his denouncing outrage at the same time as that speech?—At the same time as that speech.

(*The Attorney-General, reading on*)—

“ That is from the speech of Michael Davitt made on the same day as the speech of Mr. Devoy. What was the meaning of the ‘wolf-dog bounding across

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“ ‘the Atlantic.’ Did ‘wolf-dogs in America’ mean men like Devoy and others who were holding that language, and who were collecting money for the purposes which were there described? Or else what was the meaning of the statement that the wolf-dog would bound over the Atlantic in vengeance? The hon. member for Longford says I have gone over to America for the illustration, and so I have——”

My Lords, I would ask that the whole of this speech should appear upon the note, because there are certain other quotations. I do not wish to ask Mr. Parnell any further questions upon the speech.

59,906. Now, I must ask you with reference to what you have just now said—I must read to you what you stated with reference to the Salford explosion. I read from the same volume 258, column 1550?—I do not recollect that I was present at that speech, when that speech of Sir William Harcourt’s was delivered. It is a very important speech undoubtedly.

59,907. I must ask you this. Do you suggest that whether you heard it or not you did not read it?—I should think it is very unlikely. I should think if I read or heard the speech it would have fixed itself upon my memory and attention and recollection, and that I should have addressed a very strong remonstrance indeed to Mr. Devoy for the use of any such language as that.

59,908. You would have addressed a very strong remonstrance to Mr. Devoy for the use of any such language as that?—Certainly.

59,909. Have you ever addressed a remonstrance to Mr. Devoy?—The remonstrance that I addressed to Devoy was the remonstrance that I addressed to him in 1881.

59,910. Where?—By cable from the House of Commons.

(*Sir C. Russell.*) I have got it here.

(*The Witness.*) I have never made any communication whatever with Mr. Devoy, or had any occasion to do so from that day to this.

(*Sir C. Russell.*) I think it would be fair that this telegram should be read at this moment.

(*The Attorney-General.*) Pardon me; it is somewhat remarkable that the telegram was not proved or suggested in examination-in-chief.

(*Sir C. Russell.*) Why should it be proved in examination-in-chief?

(*The Witness.*) I am inclined to think from recollection, my Lord, that I was in Paris at the time that this speech was delivered, but I am not at all sure.

(*The President.*) My attention was attracted by the statement that Mr. Parnell had communicated with Devoy in consequence of the speech of Sir William Harcourt.

(*The Attorney-General.*) I am coming to that.

(*Sir C. Russell.*) And I have the telegram before me of the 24th of February, and I should have thought it fair to put it in at this moment.

(*The President.*) It is not a question of fairness but of convenience.

(*The Attorney-General.*) Let it be read now.

59,911. (*Sir C. Russell.*) Is this the telegram, Mr. Parnell, from Mr. John Devoy, 24th February 1881:

“ You are reported to have sent threatening telegram to the Home Secretary;

“ if true, your action most censurable; if untrue, cable contradiction.”

Yes, that is the telegram; that is the only communication I had with Mr. Devoy.

59,912. (*The Attorney-General.*) Would you lend me that? It is from the “Freeman’s Journal”:

“ You are reported to have sent threatening telegram to the Home Secretary;

“ if true, your action most censurable; if untrue, cable contradiction.”

Is that what you referred to as your telegram to Mr. Devoy?—That is what I referred to as my telegram to Mr. Devoy.

59,913. And the only one you sent?—That is the only communication I have had with Mr. Devoy in America, and that is the only censurable action that I have heard of Devoy having been concerned in.

59,914. Have you ever denounced any one of the dynamite speeches in any published statement to which you can refer me?—I doubt very much whether I have read these dynamite speeches.

59,915. That is not my question. Do you represent you were ignorant of the existence of the dynamite section in America?—Undoubtedly, I was perfectly aware of it. I knew that Mr. Ford had made this new departure at the end of 1882, and I

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censured it early in 1882, in my place in the House of Commons, on the first available opportunity.

59,916. I am not referring to the end of 1882 or the beginning of 1883; I am referring to Devoy's speeches in 1881, which were quoted in the House. Do you know of any denunciation of those speeches, whatever they are, at any time, by you or any member of your party?—So far as I know, I have never heard of those speeches before to-day.

(*The Attorney-General.*) My Lord, I ask before that little matter that I may be allowed to have the whole of that speech put on the note (it ends with only one column more), in order that the whole may appear upon the note.

(*Sir C. Russell.*) My Lord, I want to know why the Attorney-General should not preface the reading of the whole of that speech by asking whether Mr. Parnell was present?

(*The President.*) That is so. I assumed this was a speech at which Mr. Parnell was present; but again I must object to something being put upon the note instead of being read here.

(*The Attorney-General.*) Very well, I will read it, of course.

(*The President.*) I am sorry to say that indicates that what goes on here is intended for other people than this tribunal.

(*The Attorney-General.*) No, I did not mean that. I merely meant that the whole of the speech might appear before your Lordships.

(*The President.*) I cannot undertake take.

(*The Attorney-General.*) Then I will read it. I hope your Lordship will understand it was simply and solely with that object I mentioned the matter.

(*The President.*) I did not mean my observation to apply to you only.

(*The Attorney-General.*) No, I understand. I had better read the whole of it.

(*The President.*) No, now the question is whether it is admissible at all.

(*Sir C. Russell.*) Mr. Parnell says he believes he was not present, and believes he has never read it.

59,917. (*The Attorney-General.*) Will you undertake to say first you were not present?—I should not like to undertake to say that without reference to dates. My strong impression is I was in Paris.

(*The President.*) Is there no means of ascertaining what members were present?

(*The Attorney-General.*) Yes.

(*Sir C. Russell.*) Unless a division happened to take place at the moment, there is no means of telling.

(*The Attorney-General.*) My Lord, I think I can make it perfectly plain that Mr. Parnell saw this speech. However, I will go on for a moment.

59,918. Did you read that speech?—Not so far as I have any recollection.

59,919. You are sure of that?—I believe that if I had read that speech I should have remonstrated most strongly with Mr. Devoy.

59,920. I do not know of course whether you are separating yourself from other members of your party, but I call your attention to that speech giving pointed reference to Devoy, made undoubtedly in the presence of numbers of those with whom you were associated?—So it appears.

59,921. Do you know of any communication made with Devoy with reference to that or any denunciation, be it good or bad, of what Devoy had there said, by any member of your party?—I have told you already that I have the very strongest belief that I have heard about that speech to-day for the first time.

(*The Attorney-General.*) Now, I think, my Lord, I ought to read at page 1550 of the same volume what Mr. Parnell said with reference to Salford.

(*The President.*) Yes.

(*The Attorney-General.*) That is volume 258, page 1550.

“Garrisons had been doubled, the rifles of Volunteers had been deprived of their locks, and immense precautions taken for the purpose of guarding against a Fenian attack in this country. The only reason for this panic was that a tin can containing dynamite was exploded at Salford; but the circumstances pointed to it being meant as a practical joke. He imagined that a Fenian conspiracy would not suppose that they could blow up the British Empire by means of a can of dynamite, or make war against the Government with a few pounds of gunpowder; but that was the only excuse for this panic.”

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Were you twice interrupted both before and after by Mr. Forster, and were you replied to by Mr. Forster in these words. This is in the presence of Mr. Parnell, for he interrupts just before and just after.

“ He was surprised at the manner in which the hon. member had alluded to
 “ what occurred at Salford, when he described the explosion of a can of dynamite
 “ as a practical joke. That explosion had caused the death of a poor child, and
 “ might cause the death of another person. He did not form any interpretation
 “ with regard to that act, but he would state that it was an act which obliged the
 “ Government to look very carefully to see how it might have come to pass. He
 “ could not say there was proof; but on the other hand there was ground for
 “ suspicion, that it was connected with treasonable action with Irish objects.
 “ That was one among other acts to which the Government had to give their
 “ serious consideration.

“ *Mr. Parnell.* Will the right hon. gentleman be kind enough to state on what
 “ ground?

“ *Mr. W. E. Forster* did not think the hon. member could imagine for a moment
 “ that he would state the ground. If the hon. member's remark had not been
 “ answered it might have gone forth that the belief of the Government was that
 “ the affair at Salford was a practical joke.”

59,922. As that matter has come up I should like to ask you this specific and distinct question. Saving a speech which you say you have made in the House of Commons (I do not know whether it is in or not)?—I have not spoken positively to the matter. I stated it was my impression I had made some reference to the matter afterwards.

59,923. No, we are not upon the same point for the moment. I have cross-examined you sufficiently upon that and do not wish to put any more questions to you. But you said to-day that at some time or other you denounced the dynamite policy in the House of Commons?—I separated myself from Ford and his new departure, which was the dynamite policy.

59,924. To what speech do you refer when you say that?—I think I refer to my reply to Mr. Forster.

59,925. What date. In 1883?—Sometime in 1883.

(*Sir C. Russell.*) February 1883.

59,926. (*The Attorney-General.*) I am aware of the date. I wanted to get it clear. Except that and whatever that speech contains (it is already upon the note) have you ever denounced dynamite?—It is possible I may have taken other opportunities of separating myself from Ford and his policy, but that is the occasion that occurs to my mind at this moment.

59,927. It is no answer to my question to say it is possible you may have taken other opportunities. I am asking you a specific fact upon a most important matter. Will you pledge your word before their Lordships that you ever publicly denounced dynamite except what may be contained in that speech in the House of Commons?—I do not recollect any other occasion at this moment.

59,928. Have you ever in any speech published in America or published in England said one word against the use of dynamite?—I think it is very possible that I have.

59,929. I am not putting to you that it is very possible you have. You know what my question is. Will you undertake to say you have ever made, and if so I call upon you to produce the report of any single speech or utterance of yours from 1879, we will say to the beginning of the year 1888, against the use of dynamite?—I do not carry all my speeches or any portion, I may say, in my head, but I shall be glad to look and see what references I have made to the subject.

(*The Attorney-General.*) Now, my Lord, I refer to the next occasion, which is the 3rd of March 1881, when Mr. Parnell was in the House, I mean when I know that he was. The passage I propose to begin to read is in volume 259, page 161.

“ He said I was cowardly in my attack on John Devoy.”

“ He ” is Mr. Dillon.

(*The President.*) Whose speech is this?

(*The Attorney-General.*) Sir William Harcourt's, answering Mr. Dillon in the presence of Mr. Parnell.

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“He said I was cowardly in my attack on John Devoy in the absence of the man. Did Devoy think of the absence of the man. Did Devoy think of the absence of 4,000,000 of people when he said he meant to set London on fire. Was that not a cowardly action on the part of a man who was, in a manner, one of the officers of the Land League in America? I felt it my duty—and I hope the House still think that I did my duty—in telling them what I knew—that the Land League is an association which depends upon the support of the Fenian conspiracy. The hon. member has avowed it to-day.”

That is Mr. Dillon.

“Who are the men they know who support the Land League in Dublin? Is it supported by Irish subscriptions? Why the Irish subscriptions are coppers; but the gold and silver come from Fenianism in America. That is where it comes from, and the hon. member knows it as well as I do. Who are the men they take for their agents to send this money to Paris and thence to Dublin? Men like Devoy, a convicted Fenian. When they set to work to organise this Land League, who were the chief agents by whom it was started and conducted? Why, they were notorious Fenians, many of whom had been convicted, while others were perfectly well known to be connected with the Fenian conspiracy.

59,930. Where you present when that speech was made?—I think it is very possible that I was, but I have no special recollection of it at all.

59,931. You moved an amendment on that day. That appears at page 187. On the next day, the 4th of March, I observe at page 336 of the same volume, he refers to the Coercion Bill, and says that it will create a wide breach.

(*The President.*) This is Mr. Parnell.

(*The Attorney-General.*) Mr. Parnell. Now, as I understand, the only telegram you sent to Mr. Devoy was with reference to the alleged threat upon Sir William Harcourt?—It is the only communication of any kind I have made to Mr. Devoy directly or indirectly.

59,932. We have had a character given to Mr. John Devoy by the Right Hon. gentleman.” You refer of course to the speech of Sir William Harcourt giving the character of John Devoy which I have just read?—Yes.

59,933. (*The Attorney-General reading*):—

“We were informed that that gentleman had sent a threatening cablegram to the right hon. gentleman, threatening to stamp upon him. I was surprised when I heard of this intelligence, and I at once cabled from Paris to Mr. Devoy.”

It is quite clear you must have had the information, because you say—

“I was surprised when I heard of this intelligence, and I at once cabled from Paris to Mr. Devoy to know whether there was any truth in the statement, and I received back a message next day to say there was no truth in the information that he had sent any cablegram threatening the right hon. gentleman, but had simply used the same words which the right hon. gentleman had used in this House against the Fenian society, and if the right hon. gentleman is entitled to say in this House that he will stamp upon the Fenian society like a nest of vipers, surely the Fenian Brotherhood are entitled to say in return that they will, if they can, stamp, not on the right hon. gentleman the Home Secretary, but upon his Government.”

Now is that the sole reference that you made, Mr. Parnell, to Sir William Harcourt’s previous speech respecting John Devoy?—The sole reference that I made to John Devoy, certainly. That is the sole communication that I had with John Devoy upon this matter.

59,934. And whatever may be the view of that language, you are not able to point to any other condemnation of Mr. Devoy’s utterances which had been referred to in the House of Commons by Sir William Harcourt. If you can, produce them to the Court?—I have already stated that I had no knowledge of these alleged utterances of Mr. Devoy.

59,935. Now before I leave these American auxiliaries (I do not want to ask about many more) there is a man named Father Sheehy. Is it Eugene Sheehy?—Father Eugene Sheehy, yes.

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59,936. Do you know him?—Yes, I know him very well.

59,937. When did you know him?—I knew him some years before the commencement of the Land League movement.

59,938. Is he a Fenian?—Not so far as I know.

59,939. Not connected with the Clan-na-Gael in any way?—Not connected with it in any way that I know.

59,940. When did you last see Father Sheehy in Ireland or in England?—I have not seen Father Sheehy for some years.

59,941. What do you mean by some years?—I should think perhaps two or three years.

59,942. Be a little more definite, kindly?—I cannot be any more definite, I assure you.

59,943. Are you acquainted with Father Sheehy's speeches?—I am acquainted with those of his speeches which I may have been present at in a general way. I do not know that I pay special attention to speeches made in my presence.

59,944. Many have been read. Should you describe those as violent speeches?—I should say Father Sheehy did make violent speeches. That is my impression of the character of the speeches.

59,945. A good many of them?—Those that I have heard were advanced speeches.

59,946. Do you suggest, Mr. Parnell, that Father Sheehy's speeches advocated constitutional action?—I think they did generally. They may fairly be said to have advocated constitutional action.

59,947. Not capable of another interpretation?—Certainly not capable of any interpretation as regards outrage and assassination in the slightest.

59,948. Or as regards physical force?—They may be capable of the interpretation, speaking generally of them, and, as far as I can recollect them, that, if the constitutional agitation failed, in that case Irishmen would be entitled to reconsider their position. But I have always understood him to give the most loyal and hearty support to the constitutional movement, and to have taken up the attitude which Mr. Davitt and others have taken up in reference to it.

59,949. Where is Father Sheehy now; do you know?—I cannot say. I believe he is a parish priest somewhere in Ireland; I do not know.

59,950. At the present time?—I do not know.

59,951. You do not know the actual place, do you?—I can easily find out for you; but I do not know.

(Sir C. Russell.) Kilmallock, I am told.

(The Attorney-General.) I cannot absolutely promise I have nothing more to ask you about the American connexion. I hope I have nothing more. At any rate, I will leave it till I have an opportunity of going through a note I had made with regard to questions I had put to you. You came back, and you arrived in England at what time in the year 1880?—About the middle of March 1880, I should think.

59,952. And you sent Mr. Davitt, or you knew of Mr. Davitt's going out to America again?—Yes.

59,953. Did you send him?—I cannot say that I did. It is possible that I had some consultation with him about his going out. But I was in Parliament at that time, and I did not see much of Mr. Davitt after I came over to Parliament, if I saw him at all. I cannot say whether he consulted me as to his going out or whether he did not. But I think it is possible he did, and that I knew he was going.

59,954. Whether there were what I may call formally appointed organisers or not, will you tell me who were either doing the work or fulfilling the place of Mr. Davitt in the shape of speeches in the early part of 1880 or up to the time of the rejection as you say of the Compensation for Disturbance Bill?—There was not much Land League work being done at that time except the relief of distress during that spring, and afterwards the Land League was quiescent through the summer and no attempt was made to spread it; I do not know that there was.

59,955. You state distinctly there was no attempt made to spread it?—No special attempt made to spread it.

59,956. You put the word "special" in. Do you represent speeches were not being made all through the early part of 1880?—There may have been speeches made.

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59,957. Do you not know there were?—I may have a general knowledge of these speeches.

52,958. I am putting to you, as you say no attempt was made, and then no special attempt, do you not know the fact that speeches were made by persons who afterwards were the organisers if they were not at that time?—I think it is very likely that men like Mr. Matthew Harris were making speeches in the west of Ireland; but I have no knowledge of the speeches they made.

59,959. Was P. J. Gordon making speeches?—I do not know. I have no knowledge of Gordon's speeches except the extracts read at the State trials.

59,960. Sheridan?—Sheridan was possibly making speeches. I do not know.

59,961. To the best of your belief was he not?—I think it very probably.

59,962. Boyton?—Boyton may have been making speeches, but I have no knowledge of them.

59,963. John Walsh?—He may have been making speeches for all I know.

(*Sir C. Russell.*) There are so many Walshes. John Walsh, of Balla, I suppose you mean?

59,964. (*The Attorney-General.*) Yes, John Walsh, of Balla.—Yes.

59,965. Did you, as the head of this organisation, at any time in 1880 inform yourself as to what was going on?—I asked Mr. Egan and Mr. Davitt upon my return from America as to what they had been doing, and they told me they had been chiefly occupied—almost entirely occupied—in the relief of distress during the winter.

59,966. You know perfectly well that has not any bearing upon my question?—As regards the work of the League during the summer, I had no communications with the management of the League until I came over to Ireland after the session.

59,967. In whose hands was the management of the League left?—The management of the League was in the hands of Mr. Davitt and Mr. Egan, and secondarily of Mr. Brennan.

59,968. When did Mr. Davitt go to America?—Mr. Davitt, I suppose, went to America some time in the early part of 1881.

(*Mr. Davitt.*) 1880.

59,969. (*The Attorney-General.*) Not before 1881?—I mean 1880.

59,970. (*The Attorney-General.*) I must ask that I may put my questions, and have the answers from the witness. I do not want to catch you by mere date; but you have said Davitt managed the Land League in the year 1880. Did not Davitt go back to America with your concurrence and on your advice in consequence of your having had to return to England?—Excuse me, I said the management of the Land League upon my return from America was in the hands of Mr. Egan and Mr. Davitt, and secondarily of Mr. Brennan.

59,971. Who managed the Land League during the interval from March 1880 to September 1880?—Mr. Egan must have been the chief manager of the Land League.

59,972. Nobody else?—With any member of the executive committee who chose to attend.

59,973. Can you mention any other names?—I was not present at any meetings there that summer so far as I know.

59,974. Can you mention any other names?—I am not acquainted with the management of the League during that summer. I was managing the Irish Parliamentary party at that time.

59,975. Then, I understand you to say you did not acquaint yourself with what was being done during the year 1880, prior to September?—I have already told you that—prior to the time when I went over at the conclusion of the Parliamentary session.

59,976. When did Mr. Davitt return?—Mr. Davitt returned some time during the beginning of the winter or autumn—November or December, or some such month as that.

59,977. You have stated Mr. Egan and Mr. Brennan. I ask you was there not active organisation work, what is called organisation work going on through that year, among others, Mr. Harris being an organiser?—I think there was work going on in the county of Mayo and part of Galway; but Mr. Harris was not definitely appointed an organiser so far as I know until the autumn of the year 1880.

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59,978. But you have stated—I do not know whether you are playing upon the word “definitely”—that no organisers were appointed until after the rejection of the Compensation for Disturbance Bill by the Lords?—That is my strong impression. If Mr. Harris was working in the county of Galway he was working as a volunteer. I will call your attention to Mr. Brennan’s letter to Mr. Harris of 22nd May 1880, page 1931—

“ When Mr. Davitt was leaving for America, he requested me to open what-
 “ ever letters would come for him, and through that means I read your last letter
 “ to him. I am sorry to see that your pecuniary affairs are in such a bad state,
 “ and it strikes me that we might be able to do something for you here. I repre-
 “ sented the matter to Mr. Parnell, and he is anxious that we should make you a
 “ grant out of the funds of the League that would in some way compensate for all
 “ you have lost by the land agitation. *Of course no one outside the place here would*
 “ *know anything about it.* I will have the matter carried through some day next
 “ week. You will require organisers’ order properly to carry on the business of
 “ the League. *John Walsh* is doing Connaught. What would you think of
 “ assisting him? Think the matter over and let me know your opinion on it.”

What Walsh was that?—That was John Walsh, of Balla, in the county of Mayo. Not the Middlesboro’ man at all.

59,979. I put it to you, do you suggest “John Walsh, of Balla, is doing Connaught,” did not mean John Walsh, of Balla, was organising Connaught?—I should think he was—probably acting as a volunteer.

59,980. Was P. J. Gordon?—No. I never heard of P. J. Gordon as an organiser at any time.

59,981. As a person who was making speeches at meetings?—He was probably making speeches at meetings along with a number of other young men who were acting on their own account, but they had not been appointed as organisers. The first formal appointment, I think, of organisers was in the autumn of 1881.

59,982. I am not relying upon the word “formal.” I am not dealing with formal appointment. My question to you is a specific one, was there not an attempt to extend the Land League principles, whatever they were, all through the year 1880 by speeches, in various parts of Ireland?—I should think not to any extent outside of the counties of Mayo and Galway.

59,983. Now did you know John Ferguson?—Yes, I knew Mr. Ferguson very well. I was introduced to Mr. Ferguson by the late Mr. Butt.

59,984. Was he a Fenian?—Not so far as I know. I do not think so.

59,985. Will you swear that?—That is so.

59,986. Never?—So far as I know, I have never heard of John Ferguson as a Fenian from anybody.

59,987. Or anything to do with the Fenian society?—Or ever had anything to do with the Fenian society.

59,988. And that is your belief to this time?—That is my belief now.

59,989. Sheridan, I understand, was unknown to you?—Mr. Ferguson was a member of the Council of the Home Rule League, and also a member of the Confederation Council, and a very eloquent speaker.

59,990. I was not asking you about his eloquence, I believe most of you Irishmen are very good speakers?—I am sorry to say I am a prominent exception.

59,991. I have a difficult task enough. I ask you not to put things upon me which I am not asking about. I am not speaking about his eloquence. You have told us a number of persons (I do not want to go through all their names again) who were organisers, you now know were Fenians. Did you make any inquiry as to the character of the men who were being appointed organisers?—No; with the exception of Mr. O’Kelly and Mr. Harris, I was not well acquainted myself personally at that time with any of the organisers. I was guided of course in this matter as in most other matters by Mr. Egan’s judgment.

59,992. Can you tell me of any organiser who took any prominent part whom you now know not to have been connected with the Fenian movement at some time or other?—The Rev. Harold Rylett.

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59,993. Anyone else?—And Mr. Lyneham. I have no reason to suppose he ever was.

59,994. I want to see if I appreciate your position as president?—And Mr. Maurice Butterfield, and I have no doubt there were several others.

59,995. Do you represent Mr. Maurice Butterfield as an active organiser?—Yes, a very active organiser.

59,996. Mr. Rylett too?—Very active.

59,997. Both those, I think, were in Ulster?—Yes, those were both organisers in Ulster.

59,998. I want to get the fact. Is your view that, rightly or wrongly, you did not inquire into the personal antecedents of these persons who were nominated by Mr. Davitt to you as organisers, such, for instance, as P. J. Sheridan?—No, I had no special reason for making inquiries.

59,999. Whether with reason or not, you did not do it?—I probably asked as to their fitness in Mr. Egan's opinion, and received satisfactory assurances from him. If you wish to know whether I ever inquired whether he was a Fenian, I certainly did not, for I had no reason to suppose he was.

60,000. You know you have yourself said your object was to, as far as possible, control this movement on constitutional lines?—Certainly.

60,001. Did you make any inquiry as to whether any or all of these men had been mixed up in Fenian societies, so as to ascertain whether they broke their connexion in any way?—I never made any such inquiry, and I may say generally that the men belonging to the Fenian organisation are not in the habit of telling men outside of it that they have belonged or do belong. That is my experience, that they are very chary about making any statement on the subject.

60,002. Where is Mr. John Ferguson now? Do you know?—Mr. John Ferguson now I suppose is in Glasgow. He is a member of an important printing and publishing firm in Glasgow—Cameron and Ferguson.

60,003. Now, as far as I can. I will take this particular matter chronologically, but there are one or two preliminary matters I must ask you with reference to these men. It was not your first acquaintance with many of these men, was it, Mr. Parnell?—It was not my first acquaintance with Mr. Harris or Mr. O'Kelly. Mr. Sheridan I had not known previously. Mr. Walsh of Balla I had met I rather think with Mr. O'Connor Power in Mayo in 1877.

60,004. Do you remember Davitt's release, and the Reception Committee being formed?—Yes.

60,005. On that committee was Mr. John Ferguson of Glasgow, was he not?—I think it is very probable.

60,006. I think you mentioned Mr. Patrick Egan yesterday?—Mr. Thomas Brennan. I do not think I went over the names of the Reception Committee.

60,007. I must put it to you. I am taking it from the "Freeman's Journal" of the 14th January 1878.

(*Sir C. Russell.*) Taking what?

(*The Attorney-General.*) The list of those who were connected together for the reception of Mr. Davitt.

(*Sir C. Russell.*) You mean on his return from America?

60,008. (*The Attorney-General.*) The original document is already in evidence. I call attention to the fact that James Carey and Daniel Curley are also on the Reception Committee. Yes, I notice that they are. I noticed that they were when the fact was published I think in "Parnellism and Crime," but my attention had not previously been directed to it. I had not known at that time either Carey or Curley, but if I had noticed their names on that committee, as I possibly might have done at the time, that fact would not have had any significance to my mind.

60,009. It would have conveyed nothing to your mind. Very well. Do you remember later in 1878, August, the testimonial being got up to Robert Kelly?—No, I do not recollect that.

60,010. Are you sure?—I do not recollect it. I have no doubt a testimonial was got up to Mr. Robert Kelly.

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[Continued.]

60,011. Was Robert Kelly the man who shot Head Constable Talbot?—I suppose so. I think it very probable he was.

60,012. Do you mean to say you do not remember that distinctly?—The shooting of Head Constable Talbot was not in my time.

60,013. There were certain events which happened afterwards in respect to it. Did you not know of the testimonial got up to Robert Kelly?—The matter, so far as I know, was not specially brought under my notice.

60,014. Did you subscribe to it?—I may have done so, I do not know.

60,015. Was T. Brennan (the secretary of the Land League) secretary to the Kelly Testimonial Fund?—It is very possible. I have no recollection of any details of the matter at all.

60,016. Was James Carey the treasurer?—I do not know, I am sure. I have no recollection of the details of that.

60,017. Did you know the Fenian oath, Mr. Parnell?—No, I do not know it now. I have heard versions of it, but I cannot say I have ever heard the authorised version.

60,018. Whether authorised or not, do I understand you to say that forming this new scheme, or whatever your policy was—constitutional action—you at that time had no knowledge of what the Fenian oath was?—Not the slightest.

60,019. And have never, in connexion with the people with whom you have been associated, taken pains to inquire?—I have never inquired about the matter.

60,020. Did you know by reputation, or what I may call general reading, how the Fenians treated traitors?—Certainly. I have always understood that they ——

60,021. Shot them?—That they assassinated traitors.

60,022. That is to say a traitor to the Fenian cause, or a traitor to the cause. It was part of the rules of the Fenians. You understood that he was to be assassinated?—I have always understood that that was the only assassination they countenanced—the assassination of members of their own body who betrayed them.

60,023. The assassination of people whom they described as traitors to their cause?—Whom they believed to be traitors.

60,024. I daresay you have seen the rules yourself?—No, I have not.

60,025. They have been put in evidence in this case. Now I want to call your attention, if you please, to a letter which you wrote to the Chicago “Daily News” on the 12th December 1879. Do you remember stating in a letter you wrote to the editor of the Chicago “Daily News” on the 12th December 1879, that the Nationalists, Repealers, and Home Rulers are united and have found a common platform and watchword, “the land for the people”?—Yes, it is very possible.

60,026. Have you any doubt you wrote that letter?—I think it is exceedingly probable.

60,027. Do you not know?—I have no particular recollection, but I think it is exceedingly probable.

60,028. I call your attention to a statement there made to an American paper—the “Chicago Daily News,” “The Nationalist Repealers, and Home Rulers”—12th December 1879. Do you agree, or do you dissent from the view that that would be understood to mean the Nationalist Party, as distinguished from the Home Rule Party?—It would not be understood to mean the Nationalist Party, but it would be understood to mean men who had held Nationalist opinions, who had come into our movement.

60,029. I ask you to answer me distinctly. You mean my Lords to understand that the ordinary reader, acquainted with American politics, seeing your name to a document that stated, the “Nationalist, Repealers, and the Home Rulers”—those three classes are united, and have found a common platform and watchword, “the land for the people.” That would not indicate the whole Nationalist body?—Undoubtedly not—not as an organisation. It would mean that many Nationalists—perhaps the majority of them—had come into the movement as individuals, which they undoubtedly did do.

60,030. I must ask you as you have given that explanation, have you ever yourself, in any public statement in America, or in England, or in Ireland, drawn any distinction between the support of some of the Nationalists and the support of the whole of the Nationalists?—I have spoken of these men by the generic term Nationalists, not in reference to their organisation, but their opinions.

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[Continued.]

60,031. That is my point, and I wish to ask you to apply your mind to my question. You are now suggesting that a word is to be considered as applying to some persons who had held Nationalists opinions. Have you ever in any single public utterance, to which you can refer me, alleged that the support you received was from some particular Nationalists, as distinguished from the Nationalist body?—I do not recollect any such utterance.

60,032. I should just like to ask you with reference to the Rotunda meeting on the 2nd April 1880. Edward Hanlon was the gentleman or the person who proposed the amendment to the resolution. Did it come out at that time, either before or immediately after that meeting, that Edward Hanlon had represented the Stephen's faction?—No, the Stephen's faction were not the party that attacked that meeting.

60,033. What were the party?—The I.R.B. attacked that meeting.

60,034. Do you represent that Hanlon represented the main body of the I.R.B.?—I do not know how far Hanlon represented the main body of the I.R.B., but I believe it was the Council party that attacked that meeting—I believe from information that I have received since, and also at the time, that it was the Council party.

60,035. The Council party of what?—The Council of the I.R.B.—the main Fenian body in Dublin, and not the Stephen's party.

60,036. What statement, either in writing or a statement made to you, will you pledge your recollection, leads you to inform the Court that Hanlon represented the main body of the I.R.B., and not the section?—I say he belonged to the council party.

60,037. Do you now represent, and I ask you to answer my question distinctly, do you now represent that Hanlon represented the main body of the I.R.B.?—I believe that the attack was directed by the Council party of the city of Dublin, and it was an official act.

60,038. Do you not know it was the act of a section?—I do not believe it to be the act of a section. The party who broke up our section was too strong to have been a Stephenite party.

60,039. You have no fact or communication made to you, either before or at the time of the meeting, to which you can call attention, as supporting the view you now suggest, that that is what you call an official act?—I believe it was the act of the Council party in Dublin—an official act.

60,040. Now I have cross-examined you to-day as to their having been no speeches of yours to which you have called any attention?—I may say that I have never heard of any act of hostility towards the Land League on the part of the Stephenite party.

60,041. I have already asked you to produce, if you could, any speech in which you have referred to the opposition, or rather to the support, I ought to say, of the Land League, as being the support of some Nationalists, as distinguished from the party. I asked you yesterday whether you ever made a speech either denouncing the physical force movement, or in any way intended to deter those who had been Nationalists, from their action; and I ask you, in that connexion, whether you ever saw a report of Mr. Redmond's speech at Nurne, county Kildare—Mr. William Redmond, 15th February 1885?—Mr. William Redmond on the 15th February 1885—I have seen reports of various speeches of Mr. William Redmond, and I have checked him from time to time about them, but I cannot call to mind any particular speech.

60,042. Publicly or privately checked him?—I think I have done both.

60,043. Have you ever separated yourself in any way from Mr. Redmond—I am speaking, of course, of public action?—No, I have looked upon Mr. Redmond as being a very enthusiastic and sincere young man—rash. It is very hard to put an old head upon young shoulders, but that is a fault time always remedies, or usually remedies, if people live long enough.

60,044. Whether it be youth or age, or whatever it be, my question to you at the present moment is, whether you ever separated yourself publically from Mr. Redmond—I understand you to say you have?—I believe I took some action either publically or privately—I am trying to find it at this moment.

60,045. Perhaps you will kindly give me your attention——

(*Sir C. Russell.*) I am told it is the volume of "Hansard."

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60,046. (*The Attorney-General.*) I wish you would not interrupt?—I think I took action in the House of Commons with regard to his speeches.

60,047. It is a speech attributed to Mr. Redmond in 1885, and I will ask you whether you did not see the report of this speech, and whether you repudiated or denied it.

“ Now there is another resolution here declaring your confidence in Charles Stewart Parnell. I only want you to declare your confidence in any man, as long as he is true, and unfaulting in his attachment and allegiance to the cause of Ireland’s nationhood.”——

I think you should give me your attention?—I am listening to you most attentively.

60,048. (*The Attorney-General, continuing reading*):—

“ I defy any man to show me how Charles Stewart Parnell has, by a single word or a single action, found fault with men who wish to liberate Ireland by more extreme means than himself; his policy is that all which can be done for Ireland in a constitutional way and on the floor of the House of Commons will be done. His policy also is that he puts no obstructions in the way of those men who must be anxious ultimately to liberate Ireland by a few strokes of the sword.”

Did you hear that speech?—I cannot say that I ever heard of that speech, but it may have been amongst the speeches that I objected to of Mr. Redmond in the House of Commons.

60,049. Now, I put it to you, is not it perfectly true that as to this statement of Mr. Redmond, that you cannot produce a single word or a single action in which you have found fault with the men who would “liberate Ireland by more extreme measures than himself”?—I do not think I have ever found fault with the past action of the physical force party.

60,050. Or present action?—Their present action I have found fault with from time to time.

60,051. When?—I have found fault with the dynamite policy of Patrick Ford.

60,052. In your speech in answer to Mr. Forster?—In the speech in answer to Mr. Forster; that is the only action that I know of, coming from any section of advanced men; that is the only action that I know of of an improper character coming from any section of the advanced men. Of course I have found fault also with and denounced the Phoenix Park murders.

60,053. A great man will speak by his public utterances, and I know perfectly well what you said about the Phoenix Park murders. I agree you denounced those in the strongest possible terms; but what I desire to get from you is this. Put it in the form of a question, Can you produce any single report of any single speech of yours in which you have found fault with the men, except this speech of yours in reply to Mr. Forster in 1883?—Whenever any action was committed that might be said to have come from these men, or supposed to have come from them, I have found fault with it.

60,054. In fairness, listen to this once more. Will you produce a single report of any such speech, or refer me to any such action of yours?—Finding fault with the Fenian organisation?

60,055. Yes?—I cannot say that I have.

60,056. Or with an extreme action of any kind. Now, there is a circular produced—I am afraid it is a little out of date—I wish to take it now—which was referred to by Sir Charles Russell as a circular issued denouncing outrage. I only want to identify it.

(*Sir C. Russell.*) I was asking my friend the Attorney-General about this speech of Mr. Redmond. It has been produced, but it has not been proved. It is right your Lordship should know that there is a question about it.

(*The Attorney-General.*) I am sorry I cannot give you the page for the moment where the circular was referred to. The original circular said to have been issued by the Land League on the suggestion of Mr. Davitt was read in the course of Mr. Asquith’s examination.

(*Mr. Asquith.*) Page 3712.

(*The Attorney-General.*) It is a memorandum of instructions to organisers and officers of branches of the Land League; and it is dated 13th December 1880.

60,057. Do you of yourself, of your own knowledge, know anything about the circulation of that?—No. I knew it was agreed to and drafted and directed to be issued, and, I believe, that it was sent to all the branches.

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60,058. Do you know what number of copies were issued?—I cannot tell you.

60,059. Did it ever appear in any public paper?—I do not know. I should think almost certainly.

60,060. Give me the reference?—I do not know.

60,061. “Freeman’s Journal,” I am told. That is said to have been published in the “Freeman’s Journal.” Now, as to the drafting of this circular. Did you draft that or Mr. Davitt?—Mr. Davitt drafted it.

60,062. (*The Attorney-General.*) This is it; it was put in yesterday. The date, I believe, is 13 December 1880. You said yesterday, that was issued in consequence of some statements or reports made to you by Mr. Davitt and others?—Mainly by Mr. Davitt.

60,063. Respecting what part of the country did these reports relate to?—They referred generally to the west of Ireland.

60,064. Be a little more precise, please. What do you mean by the west of Ireland, as regards the counties?—I mean the counties of Mayo and Galway. I should think mainly Mayo, Galway, Clare, and Kerry, and part of Cork and Donegal.

60,065. Now, you have stated you know in general terms that you were always opposed to outrage. Did you ever, in any speech that you can produce, yourself denounce outrage. I am speaking now of speeches in Ireland, not in the House of Commons?—Yes, certainly; this is a manifesto that I joined with my Parliamentary colleagues in issuing on the 5th February 1881 [*producing a pamphlet*].

60,066. 5th February 1881. Is it published in any paper?—I believe it was published at the time in the “Nationalist.”

60,067. Kindly give me the paper to which you refer, and I will take the contents of that, if you say it was published. I was asking you for a speech?—Following immediately——

60,068. Pardon me, you must answer my question?—I will go to the speeches next.

60,069. Pardon me, I am in possession of the matter. I asked you about a speech. I will ask you about that also?—But I require this to give you the information you asked me.

60,070. Fold that down or put a mark so as to call attention to it by-and-bye; and now tell me of any speech to which you refer as a denunciation of outrage. Kindly give me the date before you read anything, and tell me where it is reported. The date and the place, and where reported?—The 22nd November 1879, at the Ballagh meeting.

60,071. Where reported?—In the “Freeman’s Journal.”

60,072. Now read any passage you wish?—“Let us remain within the law and within the Constitution.”

60,073. I wish you to show anything which you suggest to the Court is a denunciation of outrage. “Let us remain within the law and within the Constitution?”—Yes, then at Swinford on the 23rd November.

60,074. Where reported?—I should think in the “Freeman’s Journal” of the following day.

(*Sir C. Russell.*) It is all in the “Freeman’s Journal” of 24th, and “Nation.”

(*The Attorney-General.*) Pardon me. [*Reading*]:—

“Mr. Parnell said he hoped the people would not be tempted to imitate the violent conduct of the Government, but that they would preserve the calm attitude of determination and quiet self-confidence which they had maintained during the summer; and that above all they should not be excited to commit any act of violence in retaliation for the arrests of their leaders. . . . He believed that nothing would induce them to adopt any violent action; but that standing on the last plank of the constitution which was left to them, determined and united, remembering the teaching of Michael Davitt, who is now suffering because of his devotion to their cause, they would continue this subject until the great object had been obtained by obtaining for the people of Ireland the land of their own country.”

That is in reference to Mr. Davitt’s speeches which he had just been making.

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[Continued.]

60,075. I suppose there is something else in that pamphlet—have you any objection to my having a copy of that at the conclusion?—I do not think that could have been in reference to Mr. Davitt's speech.

60,076. My question is whether you have any objection to my having a copy of that?

(*Sir. C. Russell.*) That is rather a question for me.

(*The Witness.*) Not at all. I should be glad to hand you this as soon as I have finished them—I shall be glad to tear the leaves out.

(*The Attorney-General.*) That is what I mean—have you any objection to my seeing the whole speeches there collected?

(*Sir C. Russell.*) My Lords, there is no objection—I will hand a copy to my friend.

(*The President.*) Mr. Parnell is very well able to take care of himself.

(*The Attorney-General.*) Now any other denunciation of outrage, please, that you can give me?—At Castlereagh, December 7th, 1879 [*reading*].

“You must not be deterred because Lord Beaconsfield, by these arrests and
“by the manner of these arrests——

60,077. What is the date?—December 7th, 1879.

60,078. Is this your own speech?—Yes.

“And by the manner of these arrests, seeks to throw a lurid glare about this
“land movement. This land movement is a perfectly peaceable and constitutional
“movement. It has no other or ulterior objects than those stated publicly on the
“platform. There is nothing behind it. No man who has joined in this move-
“ment—the extreme Nationalists and the extreme Constitutionalists—has any
“other wish than the settlement of the Irish land question. There are men, I
“think, in this land movement who would willingly see the English power over-
“turned and carried out of this country like some unclean thing. There are men
“in this movement who consider—Government would apparently wish to give
“these men every justification for so considering—who consider that Ireland's
“rights can never be won by constitutional movements such as this—who consider
“that the free rights of Ireland must be won on the bloody battle field and by
“the sword. But these men do not take part in this movement for the purpose
“of carrying out these ideas—they take part in this movement for the sole
“purpose of helping us peaceably to win the solution of this great land question,
“and the man who tells you otherwise—the man who by suggestion, or in any
“other way, tries to persuade you that anybody engaged in this movement has
“any other or ulterior object than the settlement by peaceable means of the land
“question is a liar.”

60,079. You did not give me the report of that speech?—That is the 8th December.

60,080. No, no; you did not give me the report of the place?—Castlereagh.

(*Sir C. Russell.*) He gave it to you.

60,081. (*The Attorney-General.*) I beg your pardon; he merely gave me the paper in which it was?—December 8th, 1879, “Freeman's Journal”—this was at Castlereagh, December 7th.

60,082. (*The President.*) The Attorney-General wants to know where it is reported?—“Freeman's Journal,” December 8th, 1879, I believe, my Lord.

(*Sir C. Russell.*) Now will you go, Mr. Parnell.

(*The Attorney-General.*) Pardon me, I am putting the questions.

(*Sir C. Russell.*) The question you put was, have you ever denounced outrage, and he is telling you when and where.

60,083. (*The Attorney-General.*) Kindly give me the next denunciation of outrage and give me the date of the report. I wish particularly to ask you for the report of it?—At the Tipperary meeting, October 31st, 1880.

60,084. Now pause for a moment—you shall not forget it.

(*Sir C. Russell.*) There is one before that—the 26th September?—26th September 1880, at the New Ross meeting. “I do wish in reference to a sad occurrence”——

60,085. (*The Attorney-General.*) What report are you reading from?—From the report in the “Freeman” of September 27th.

60,086. “Freeman's Journal,” is that it?—Yes.

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(*Sir C. Russell.*) You may take it they are all in the "Freeman's Journal."

60,087. (*The Attorney-General.*) What date?—September 27th, 1880.

"I do wish in reference to a sad occurrence which took place lately of the shooting, or attempted shooting, of a land-agent in this neighbourhood. I do wish to point out that the resource to such methods of procedure is entirely unnecessary, and absolutely prejudicial, where there is a suitable organisation amongst the tenants themselves; and I have thought from time to time, looking at the want of organisation amongst the farmers—I believe that if Kilkenny county"—

60,088. (*The Attorney-General.*) It is at page 433, my Lord, of your copy—

"I believe that if Kilkenny county had been organised young Boyd would never have been shot; but in dealing with this matter, and in urging, as I wish to urge, the people not to go beyond the law, I feel myself very much hampered by the action of the Government of the country, which has been of such a character as to produce an impression that they desire to set the sympathy of every fair-minded and just man in this country against the administration of the law. It should be the duty of the Government so to administer the law as to secure respect for the law amongst the majority of the community. But, unfortunately, this has not been the practice in Ireland."

The next is at Tipperary.

60,089. Pause for a moment; I wish to ask a question. Did you know who young Boyd was?—He was a son of the land agent in the town of New Ross.

60,090. You knew he had been shot?—I knew assassination had been either attempted or—

60,091. How shortly before that?—Probably a week or ten days; a few days before the meeting.

60,092. Referring to that report—this was very near the place, was it not?—It was not far from the place.

60,093. Is that the only reference of what you term—I take your statement—a denunciation of that outrage in that speech?—That is the only reference.

60,094. (*Sir C. Russell.*) The next is Tipperary?—The next is Tipperary.

60,095. (*The Attorney-General.*) Now, I call your attention to this. Your statement there is, shooting is unnecessary—"If there had been an organisation"—Yes.

60,096. "Unnecessary and prejudicial where there is a suitable organisation." I am reading from this report. It is practically the same as yours. You regard that as denunciation of outrage?—I do. I regard it as likely to influence persons against the commission of outrage; but I admit that it was an insufficient denunciation.

60,097. Now I want as you have got to the date of the 26th September—

(*Sir C. Russell.*) Will you let him finish—

(*The Attorney-General.*) With very great deference I am entitled to get the speeches in order of date.

(*The President.*) If the Attorney-General does not fulfil his promise then you can add anything you wish.

(*The Attorney-General.*) I have done nothing to call for these continual interruptions all the way through my cross-examination.

(*The President.*) It must not be supposed that we can carry these speeches in our minds for months.

60,098. (*The Attorney-General.*) You have passed the Ennis speech of the 19th of September 1880, the one that has been quoted very often—the advocating of boycotting speech?—This does not purport to be a list of my speeches.

60,099. You have in point of date passed that, and I wished to refer in order of date, as nearly as I could, to the speeches, questions upon which I thought ought to be put to you. You have stated, you know, that you advocated boycotting, but it was boycotting to be short of intimidation?—Yes.

60,100. Will you tell me, up to this date have you any speech at all in which with reference to boycotting you have warned the people not to pursue boycotting to the verge of intimidation, or not to intimidate?—No. I do not think I have made extensive reference to boycotting at all.

60,101. Have you any speech you can produce in which you have cautioned people against intimidation as distinguished from boycotting?—I consider the boycotting that

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I advocated and recommended at the Ennis meeting was boycotting, but not intimidation.

60,102. I am coming to other speeches in a moment. These expressions of yours that outrages were unnecessary and prejudicial to the cause has not been on a solitary occasion at New Ross, has it? Have you got a note of your speech in Galway? Perhaps it may be later in date?—I have not.

60,103. What is the next speech you have there?—The next speech is October 31st, at Tipperary,

60,104. Then it does come before it. 24th of October 1880, at Galway. These are your words, Mr. Parnell, as proved at present:—

“ Now, your Chairman ”—

I do not know who was in the chair—

“ has deprecated assassination and violence as being unnecessary to win your
“ cause, and very properly and justly deprecated it, and at all the meetings which
“ had been held up to the time when extra police were planted down in the county
“ of Mayo, I also took care to join in that condemnation; but I utterly refuse
“ further to allow any credence to be attached to the charges which has been
“ made against us and our people by the English press, by in future deprecating
“ outrage and crime which do not, and have not existed; and if it were otherwise,
“ I say that the conduct of the Government, in violating the engagement upon
“ which we gave them the votes for the Constabulary, after seven nights’ debate,
“ and in sending these extra police into the famine-stricken counties of Galway,
“ Mayo, and Kerry, disentitles them to my advocacy in assisting them to uphold
“ an unjust and infamous law.

“ What is responsible? who are responsible for the murder of landlords which
“ have from time to time, at all times in our history, taken place in this country? It
“ is admitted by everybody that English-made law is responsible, and I say that the
“ people who are primarily responsible for the murder of Lord Mountmorris, if it
“ was an agrarian crime, and of that I have very great doubt, are the House of
“ Lords, who by rejecting the Compensation for Disturbance Bill took the arbitrament of this question from the courts of law, and placed it in the hands of
“ the people; and the man who is secondarily responsible is this pretended
“ humanitarian Chief Secretary of ours, Buckshot Forster, who when the House of
“ Lords kicked out his Bill, and smote him on one cheek, turned to them the other
“ cheek also. He foresaw then, and he publicly stated in the House of Commons,
“ that he anticipated an increase of crime, outrage, and loss of life in Ireland, and
“ yet in the face of that he deliberately refused to keep Parliament together, and
“ to force through the House of Lords a measure which would prevent him from
“ being made the instrument of landlord tyranny and injustice.”

Then at the end of the speech you say this:—

“ And if they prosecute the leaders in this movement, it will not be because they
“ wish to preserve the lives of one or two landlords—much the English Government care about the lives of one or two landlords—but it will be because they
“ see that behind this movement there is a more dangerous movement, to have
“ a hold over Ireland, because they know that if they fail in upholding landlordism
“ here—and they will fail—they have no chance of maintaining it in Ireland,
“ because they know that if they fail in upholding landlordism in Ireland,
“ their power to misrule Ireland will go too.

“ I wish to see the tenant-farmers prosperous; but large and important as is
“ the class of tenant-farmers, constituting as they do, with their wives and
“ families, the majority of the people of this country, I would not have taken off
“ my coat and gone to this work if I had not known that we were laying the
“ foundations by this movement for the recovery of our legislative independence.
“ Push on, then, towards this goal, extend your organisation, and let every tenant-
“ farmer, while he keeps a firm grip of his holding, recognise also the great truth
“ that he is saving his country and the people at large, and helping to break down
“ English misrule in Ireland.”

I put it to you, I have read that, do you regard that as a denunciation of outrage?—I regard the first portion of it as a denunciation of outrage. I do not say, and I do not think, that in view of the large increases of outrages that were taking place

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through the country during this period—this autumn and early winter—that the denunciations and dissuasions from outrage which have been collected here were sufficient denunciations. They appeared to me at the time to be sufficient, because I had not the information that I subsequently had upon the return of Mr. Davitt with regard to the rapid and appalling increase of crime during this period, and if I had had to attend any meetings subsequently to this period, before the passage of the Coercion Act and my going over to Parliament, I certainly should have followed Mr. Davitt's example, and denounced crime and outrage more strongly and in a more sufficient manner than I did.

60,105. There are two other speeches I understand from you and Sir C. Russell in that pamphlet which you wish to refer to now?—The latter end of this speech refers not to any illegal movement, it refers to the abolition of English misrule and the obtaining of a Parliament, as being connected with the Land League movement.

60,106. (*Sir C. Russell.*) That is the one just read?—Yes, I made many such allusions.

(*The Attorney-General.*) You desired to refer to some other denunciations of outrage which you had prepared, to give an answer to the question.

60,107. (*Sir C. Russell.*) Tipperary 31st of October?—Yes.

60,108. (*The Attorney-General.*) Where is the report, please?—The “Freeman's Journal” of the 1st of November, I should say, 1880:—

“ I will conclude by requesting that there won't be any foolish cries from the people—unmeaning expressions that are sure to be caught up by the English press that are watching every word to torture it into an argument for coercing the people, keep from word or act that can injure your cause. Remember the wise saying—as true now as it has always been—that the man who commits a crime gives a triumph to the enemy.”

60,109. Is there any other?—Then at a Tipperary meeting of October 24th.

60,110. I thought the last was Tipperary?—There seems to have been another at the same place.

60,111. Will you give the date again?—There appear to have been two meetings at Tipperary.

60,112. All we want to get is the date of the second one?—The second speech that I am going to read now would probably be reported in the “Freeman's Journal” of the 25th of October.

60,113. Just before the other?—Apparently just before the other. Of course I have no special recollection of these matters myself at this distance of time:—

“ The press in England, which governs public opinion in England, commences to misrepresent what we are doing here; the columns of the “Times” are filled with manufactured outrages, the public opinion then thinks that Ireland is really in a state of revolution, and that a state of siege is called for. Now, that is exactly what happened in the present case. Suppose we had no recognised agitation, suppose there had been no Land League, and suppose the landlords attempted to do in this last year of famine of 1879 what they did in the year of 1846, '47, '48, now what must have happened? If you turn back to the history of those days and see the number of executions on account of agrarian crime in '46, '47, and '48, it will give you some notion of the amount of agrarian crime that was then. We claim that we have prevented agrarian crime. Wherever we have been able to extend our organisation, we have shown the people that there is a very simple process of creating a public opinion in the district against a man who bids for the farm from which another has been evicted, and public opinion is so strong that after a while no one will venture to bid for such a farm; and, therefore, the landlords will fear to evict, not because”——

And there is evidently something omitted here, probably it is because they fear being shot.

60,114. Will you read it as it is—

“ not because they will have the land thrown on their own hands.”

Evidently what was said was “not because they were afraid of outrage and assassination, but because they were afraid of having the land thrown on their own hands.”

63,115. (*The President.*) You referred to the “Freeman's Journal” report?—Yes, evidently some passage has been left out of the report.

(*Sir C. Russell.*) My Lord, that is a reprint from it.

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[Continued.]

(*The President.*) I did not understand that, therefore whatever was omitted there was omitted in the report?—In the report yes.

“ Now it is a simple plan we have adopted, and we say that if we had not done this—if the people without organisation were left to defend themselves in their own way, with their blunderbusses against the crowbar of the landlords, we should have a repetition of the circumstances of '46, '47, '48. Well, then, we claim, first of all, that we have saved the country from eviction, and secondly, we claim that we have saved the landlords from assassination. Now, these are two very great results to have achieved in such a short time; for recollect the Land League has been working a very short time, and, I believe, we have saved the lives of many dozen, if not scores, of landlords and agents.”

60,117. Is there any more?—That seems to be the end of this collection.

(*Sir C. Russell.*) Then there is the manifesto, Mr. Parnell.

60,118. (*The Attorney-General.*) There is something which you wish to put in at a later date?—The manifesto of the Irish Members of Parliament.

60,119. What is the date?—The 5th of February 1881.

60,120. And where published?

(*Sir C. Russell.*) I do not wish to interrupt, but to complete this there is another speech in November 1880.

(*The Attorney-General.*) From the “Freeman’s Journal”?

(*Sir C. Russell.*) Yes, of the 10th of November 1880. I suppose the report would be the 11th at Enniskillen. It is this passage. I will hand the whole thing to the Attorney-General.

“ And we ask the shopkeepers in the towns to assist us in this programme, and we believe if you combine amongst yourselves, in fact, we feel sure—we know—that if you combine amongst yourselves the feudal land tenement cannot stand, and that it will have to give place to a system of tenure of the land of natural character. Now, formerly the tenant farmers were left to their own devices. The situation before we set on foot this organisation was very well described by Mr. O’Connor Power in the House of Commons, in a speech on the Compensation for Disturbance Bill. He said that the tenant had no resource but his blunderbuss, and the landlord was left to his crowbar. We wish to terminate all that. We wish to teach the tenant-farmer to rely on constitutional and peaceable methods. We wish to divert his mind from looking to the wild justice of revenge as his only resource; and we can point to the results which have followed wherever our organisation has spread, in proof of the fact that outrages have always ceased where the people have become organised. Where the people have been taught the power of public opinion for the redress of their grievances agrarian crime and outrage have always ceased, and we say that the National Land League of Ireland while it has saved many thousands of tenants from eviction has also saved the lives of many landlords and many agents.”

60,121. (*The Attorney-General.*) That I think was at Enniskillen. Am I right in supposing that that is in the province of Ulster?—Yes.

60,122. In the county of Armagh?—Yes.

60,123. You wanted to refer to this manifesto. You were going to tell us where it was published?—I believe in the “Freeman’s Journal” of February 6th, 1881. It was issued by the Irish members of Parliament, myself amongst the number.

“ Fellow-countrymen, we adjure you in the midst of these trials and provocations to maintain the noble attitude that has already assured your ultimate victory. Reject every temptation to conflict, disorder, and crime.”

I do not suppose that this list which has been put in is a complete list of my allusions to the subject, but at every meeting that I attended my recollection is that the parish priest, who was usually the chairman, and very often clergymen, strongly denounced crime and outrage.

60,124. At the present moment we were dealing with this manifesto. I was not speaking of the speeches. If there be any report of the denunciations of crime in your presence I will take it. Just tell us, have you read all that is in the manifesto there?—All that is reported here.

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[Continued.]

60,125. I think it would be convenient if I now ask you, when did you say you learnt from Mr. Davitt that there was more crime?—Immediately after Mr. Davitt's return from America.

60,126. Which would be?—I do not know the exact date. Mr. Davitt will be able to tell you. It was doubtless about the end of November or the beginning of December, I think.

60,127. The date suggested is the 8th of December 1880?—I think that was about the time.

60,128. I think it would be convenient if I ask you now some questions I wish to ask you with reference to the actual condition of crime. Of course, if you have not studied the matter, then I will ask somebody else; but I will indicate what I desire to ask you. Were you acquainted with the records of crime such as are referred to by Sir Charles Russell in his speech from—take Sir George Cornwall Lewis' book?—I was acquainted generally with the fact that in years gone by the number of outrages accompanying agrarian and social movements such as the land movement, were very largely in excess of that which had accompanied our movement; but I do not know that I had ever——

60,129. I do want a specific answer?—I am going to give you a specific answer.

60,130. Kindly, as a rule, give the specific answer first, and then the explanation, because I do not wish to interrupt you. I asked you whether you were acquainted with the particulars of crime such as are shown by Sir George Cornwall Lewis' book or not?—I do not know that I ever read Sir George Cornwall Lewis' book; but I was acquainted generally, as I say, with the fact that the crime accompanying previous social movements—movements in which the social interests of the masses of the people were concerned and involved—was largely in excess of the crime which accompanied the Land League movement.

60,131. Have you any statistics, or had you at the time, any statistics to support that statement?—I have no doubt I had.

60,132. Have you got them now?—I have not.

60,133. Can you produce—I am dealing with agrarian crime, that is to say, crime which follows from this cause, the relations of landlord and tenant—can you produce now any statistics in support of the statement that there had been a larger increase of agrarian crime in connexion with the previous outburst than with the Land League movement?—I believe from what I have read, and from the researches that I have made, that that is the fact, but I have no statistics in my possession in this box.

60,134. Have you ever prepared any such?—I have prepared statistics from time to time for my Parliamentary speeches. I prepared statistics in 1881 with reference to this question.

60,135. Will you produce, if you can, any statement of the condition of crime and evictions prior to the year 1879, which is the inception of the Land League, in support of the statement you now make?—I would refer you to the report in "Hansard" of my speech on moving the amendment to the Address in 1881.

60,136. Well, I will take that as your reference?—That was the Coercion Act. I think that was the time.

60,137. Have you studied the Government returns, we will say for the last 25 years?—Not at all.

60,138. I want to know one way or the other, did you in 1880, or have you since, or have you for the purpose of this case made yourself acquainted with the ordinary official returns quite independent of any one Government or another Government, say from the year 1860 or 1855 down to 1879?—I cannot say that I have during those periods. The period to which I particularly directed my attention for the purpose of comparison was the time when there was a movement which might be said to be analogous to the Land League movement; a movement which affected the social interests of the people; that was the Tithe War.

60,139. What year?—That would have been, I think, in 1833.

60,140. I may take it you did not examine any other period subsequent to that?—I had no other analogous movement between that date.

60,141. Whether it is analogous or not, did you or not examine any other period?—I did not examine any other period in the same way. I may have made a partial examination of figures with regard to the Westmeath movement.

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60,142. Whether you may have made it or not, be good enough to answer the question. I will take 25 years. I will take 30 years if you like, from 1849 to 1879; can you refer to any recorded instance, any official return or public papers, of a man being outraged for paying his rent?—I have no doubt I could give you many such instances.

60,143. From 1849 to 1879 can you refer to one?—I should think there must have been many such occasions from 1849 to 1869.

60,144. I ask you can you refer me to any such instance, either from compiled papers or official reports during those 30 years?—I have not got the references with me. I have no doubt I can obtain them.

60,145. From 1849 to 1879 is the period I give you?—Yes. I shall be glad to obtain them before I leave the box, on my re-examination, since you have asked the question.

60,146. If the information is to be given I am entitled to ask for it and use it in cross-examination, and ask you about it if necessary. Punishment for taking an evicted farm where a tenant has been evicted for non-payment of rent, can you refer to any report or any official statement between those years, that is from 1849 to 1879 of any such crime as that?—I have told you that I had not come prepared with the reports and statistics for dealing with that branch of the question.

60,147. Has anybody, so far as you know, prepared any such information?—I believe the information has been prepared.

60,148. By whom?—I cannot say.

60,149. You do not know?—No.

60,150. I am not of course dealing with the question of what I may call private agrarian vengeance?—No, I understand.

60,151. I am dealing with the question of a man being punished by an organisation in consequence of having taken an evicted farm where there had been an ejectment for non-payment of rent—between 1849 and 1879 are my dividing lines?—Yes, I understand perfectly what you wish for.

60,152. Do you suggest that prior to 1879 there existed any organisations to prevent persons taking evicted farms?—I have no doubt that organisations of the kind have existed from time to time.

60,153. Between 1849 and 1879?—Yes, between 1849 and 1879 from time to time in different parts of Ireland.

60,154. Tell me the year?—During the Westmeath troubles.

60,154a. Tell me the year?—In 1869 and the years following.

60,155. An organisation in Westmeath do you say?—I have no doubt there was a Ribbon organisation in Westmeath for the purpose of intimidating, by physical violence and force, persons from taking evicted farms—a secret society.

60,156. Do you refer to Westmeath in the year 1872, whatever that would be?—Some years previously to that.

The Court adjourned for a short time.

60,157. (*The Attorney-General.*) Mr. Parnell, I want you to take a table before you which I have had prepared (these are what I have handed to my learned friends, my Lord). I have the Government return here. Every figure is taken from the Government return?—Before we go to that may I say I think you will find a good deal of information in reference to your last question. I think you will find a good deal of information with regard to outrages inflicted upon tenants for taking evicted farms in the report of the House of Commons Committee for 1852 respecting outrages in Armagh and Monaghan and Louth, and also in the report of the Commission in 1870 respecting the troubles in the county of West Meath and portions of Meath. You will find many cases of tenants who were shot for taking evicted farms.

60,158. I am exceedingly obliged to you for your courtesy in referring to these reports, but you will be glad to know I have already been made acquainted with them. I am referring to official returns for particular years for particular crimes?—That is within the period you mention?

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[Continued.]

60,159. Yes?—Both those cases.

60,160. Will you kindly turn to that table, and let me call your attention to it. I will just explain what it is. It is the summary of the Government returns, copies of which are given in detail annexed to it. You will notice the first column is every year from 1846 to 1886. We have collated together the Government returns so that they can be checked, and if it is wished will hand them in, and hand them to my friends if they wish it. It is simply a transcript of the figures from the Government returns.

(*The President.*) You can hand them in.

60,161. (*The Attorney-General.*) I want to call attention to one or two matters, please, just that you may understand it. The first column is simply a list of years, but you will notice that they are from 1846 to 1886. The next is percentage; you need not trouble about that. That is a matter of argument which I do not attach much importance to at present. The next are the particulars of agrarian crime. Do you notice that?—Yes.

60,162. The next are the summary of crimes of all kinds?—Yes.

60,163. That is including the previous column. The next is the families evicted and the number of persons. I am going to work entirely by families for this purpose. Then the families re-admitted. Now, I call your attention, Mr. Parnell, that if these returns are true, by far the largest number of families evicted are in the years from 1849 to 1856. Do you note that? Let me call your attention to the figures in passing. 1849, 16,686; 1850, 19,949. The reason we are not able to begin earlier is that the returns do not give it for the three earlier years. 1851, 13,197. That is diminishing. Were you acquainted with the statistics of agrarian crime with reference to those evictions, Mr. Parnell, or not?—I have never had this sheet before me before.

60,164. No; have you ever had those particulars before you before?—I cannot say that I have examined into this question of agrarian crime during these years that you have put before me minutely.

60,165. Now I call your attention, if you please, to the corresponding period of nine years—1879 to 1886?—Corresponding with 1846 to 1855?

60,166. A corresponding period of nine years?—Corresponding with the period of 1846 to 1855.

60,167. I am taking the period of nine years as the nearest thing I can get. I call your attention to the evictions.

(*The President.*) Mr. Attorney, have you any other object in this examination than to call our attention to these figures?

(*The Attorney-General.*) Not the slightest.

(*The President.*) Then it seems to me an inconvenient mode to adopt.

(*The Attorney-General.*) I am quite satisfied my Lord.

(*The President.*) Do not do it through the machinery of an examination of a witness. You will do it better with the tables.

(*The Attorney-General.*) I am perfectly satisfied. I only wish to let the materials be before Mr. Parnell as well as before anybody else.

(*The President.*) Quite so. Mr. Parnell says he has never considered these statements and the figures.

60,168. (*The Attorney-General.*) I have one or two other matters to ask you. I want to refer to part of that directly. In 1879, whatever speeches there were made, were they principally made in the province of Connaught?—I should think so mainly.

60,169. And am I correct in saying that they would be to a large extent made in Mayo and the West Riding of Galway?—I should think so, Mayo and a portion of Galway.

60,170. Leitrim is I think an adjoining county?—It is a border county.

60,171. A border county between the two, is it not?—Yes.

60,172. Then in 1880, am I not correct in saying that a very large number of speeches were made in Munster?—I cannot say as regards the period of time during the Parliamentary session, but the period of time subsequent to the Parliamentary session, when the movement was spreading throughout the country, it would be correct to say a very large number of speeches were made in Munster and various other parts of Ireland.

60,173. Am I not also right in saying that before 1880 the speeches did not penetrate much into Munster?—I think so. I think that prior to the rejection of the

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Compensation for Disturbance Bill no attempt was made to carry the Land League movement, speaking generally, outside of Mayo and Galway.

60,174. Then I take this to be a fair chronological statement: that Mayo and Galway was the principal scene of the organisation in 1879, and until the rejection of the Compensation for Disturbance Bill, and after that in 1880 in Munster. In what counties particularly, the West Riding of Cork and Kerry?—No, I do not say that the principal seat of the organisation was in Munster after that. The organisation spread into Munster, and into Leinster, and into Ulster.

60,175. You are not following me. What I suggested to you was that in 1880, at any rate, after the rejection of the Bill, there was a considerable amount of activity in the organisation in Munster?—In Munster and in other parts of Ireland. It spread all over Ireland.

(*The Attorney-General.*) I do not want to comment in reference to what your Lordship has said, but I think it only fair to call my friend's attention and Mr. Parnell's attention to page 21 of the document I have just put in.

60,176. Ennis is in Clare I think, is it not?—Ennis is in Clare.

60,177. Your Ennis speech, if I remember right, was on the 19th September 1880?—I daresay.

(*The Attorney-General.*) I do not know whether your Lordship notices that on page 21 there are two years, 1879 and 1880?

(*The President.*) Yes.

(*The Attorney-General.*) I did not know whether that caught your Lordship's eye for the moment.

60,178. I think your speech at Beaufort was in June 1880?—My speech at Beaufort I think must have been an electioneering speech in support of The O'Donoghue.

60,179. No, I think not, Mr. Parnell?—That was Beaufort, in the county of Kerry, was not it?

60,180. Beaufort speech, 16th May 1880, in the county of Kerry?—That would be after the General Election, yes. It was probably a Land League meeting.

(*The Attorney-General.*) My Lord, in connexion with this, as I wish to get it altogether on the note, or a reference to it on the note, I will ask your Lordships' attention to the return at page 103 of the book of Sir George Cornwall Lewes, referred to by Sir Charles Russell.

60,181. Now, the next subject I wish to ask you some questions about is the No-Rent Manifesto. I want distinctly to understand your view one way or the other. Do you suggest or do you not suggest that the No-Rent Manifesto was an act of retaliation for your arrest?—It was to some extent an act of retaliation, undoubtedly.

60,182. Do you suggest it was issued in consequence of your arrest?—It would not have been issued if I had not been arrested.

60,183. Had it not been discussed, and suggested, and advocated by prominent members of the Land League long before your arrest?—It had been suggested by Mr. Brennan and Mr. Kettle in speeches somewhere in the country during the Parliamentary session, and I had written to Mr. Egan to remonstrate with him on account of these speeches and on account of the suggestions that were made without consultation with the rest of the executive of the Land League.

60,184. What was the date of your arrest, Mr. Parnell, please?—Either the 13th or 16th October 1881. I do not recollect.

60,185. You do not recollect the exact date?—No; but there was no definite proposition made except in those isolated speeches of Mr. Brennan's and Mr. Kettle's with regard to the No-Rent Manifesto, and there was no consultation at any time with regard to the No-Rent Manifesto. It was an act which was decided upon by us in Kilmainham without consultation with our friends outside.

60,186. Now I must put this to you, sir, had not the No-Rent Manifesto been prepared and drafted long before you were arrested?—It had not. It was drafted by Mr. William O'Brien in Kilmainham prison.

60,187. Mr. Davitt never signed it?—Mr. Davitt never signed it.

60,188. Who put his name to it?—Mr. Brennan put his name to it, and at the time I asked Mr. Brennan whether he was authorised to attach Mr. Davitt's signature to any document, and he said that he was.

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[Continued.]

60,189. Did not you yourself suggest, in July 1881, to Mr. Patrick Ford that you had in contemplation the advising of a strike against all rents in the autumn?—I do not recollect any such suggestion in July 1881.

60,190. Will you swear you did not?—Not so far as I recollect,

60,191. Will you undertake to say you did not?—To the best of my recollection I did not.

60,192. Mr. Parnell, you distinctly said just now that this was determined upon as an act of retaliation in consequence of your arrest. I put this to you distinctly. You cannot have forgotten it, you know. Will you pledge your word, standing there, that you had not yourself told Mr. Ford that you had in contemplation to advise a strike against all rents in the autumn of 1881?—To the best of my belief I never made any such statement, or had anything of the sort in contemplation.

60,193. Will you say you did not write that to Mr. Ford?—I will not absolutely assert it, but I believe that I never wrote any such letter. I have no recollection of anything of the kind. My impression is very strong the other way.

60,194. Now I call your attention to the “Irish World” of the 11th March 1882.

(*Sir C. Russell.*) You have no right to read that.

(*The Attorney-General.*) I beg your pardon; it is within the period my Lords have given a ruling upon.

“THE ‘IRISH WORLD’ AND ‘NO RENT.’

“Office of the ‘Irish World,’ New York.

“March 2, 1882.

“Much is said about the policy of No Rent. It has been asserted that the ‘Irish World’ is responsible for the issuance of the No Rent Manifesto. There is a double edge to this charge—one edge cuts at the so-called ‘dictatorship’ of the ‘Irish World,’ and the other strikes at the assumed imbecility of the Irish Land League Executive. Curious enough, this cry of ‘dictatorship’ raised against the ‘Irish World’ has originated with the very self-same men who here in New York started the cry of ‘dictator’ against Parnell two years ago! It is true that I favoured a No Rent campaign, it is true that I cabled over to Mr. Egan urging him and the Land League chiefs to issue a No Rent Manifesto; but it is *not* true that I dictated it. That document, as it has since appeared, had been already in manuscript before my cable reached Paris. Indeed, Mr. Parnell himself, in a letter written to be in July last, stated that he had in contemplation the advisement of ‘a strike against all rents in the fall.’ Now that that project is an accomplished fact, this ray of light will not be deemed un instructive or irrelevant.”

Do you represent that that statement of Fords is not true?—I do not believe that it is a true statement, or that I ever wrote any such letter to Mr. Patrick Ford.

60,195. You say that statement is to the best of your belief untrue?—Untrue.

60,196. I think you can scarcely have any doubt in your mind one way or the other. Will you swear you did not write such a letter?—I have no practical doubt in my mind that I never wrote such a letter.

60,197. Mr. Parnell, forgive me, it is a matter I am entitled to press you upon. I must test your evidence in this matter. Will you swear that you did not write that letter or a letter to that effect?—I go as far as I have said—that I have no practical doubt in my mind that I never made such a statement or wrote such a letter.

60,198. Will you undertake to say you never wrote that letter?—I think I may fairly undertake to say so.

60,199.

“But, it is said again, the ‘Irish World’ advocates ‘No Rent Absolute,’ while the Kilmainham manifesto is conditional. This phrase—‘Absolute No Rent’—is a coinage of an enemy of the ‘Irish World.’ I have never used it, nor do I know in what sense the phrase-maker designed it to be understood. If ‘No Rent Absolute’ means that a man is under no moral obligation to pay-ment for anything under any conceivable circumstances, then I am not a

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[Continued.]

“ No Rent Absolutist; but if No Rent Absolute means that one man has a right to
 “ levy a tax on his brother man for working into use the elements of nature in
 “ their simplicity, then I do certainly believe in ‘ No Rent Absolute.’ ”

Then, in the extract I have, there is something left out.

“ The only work the real Irish landlord ever tried his hand at was to fasten
 “ the yoke still heavier on the neck of his victim, and transmute the bead-drops
 “ on his face into champagne for his supper—that and pulling down cabins and
 “ driving the inmates out on the roadside. What would the landlord receive in
 “ return for work of this kind? Some of them have been repaid in lead instead
 “ of gold, and some of them have got their deserts; and yet it will not do to
 “ advise or encourage assassination; it is the *System* itself, not individuals, that
 “ must be got rid of.

“ To return again to the No-Rent Manifesto. It is said that was conditional.
 “ Yes, and so was Lincoln’s Emancipation Proclamation conditional. Both were
 “ war measures. But who is the man in this Republic to-day that regrets that
 “ Lincoln’s manifesto turned out to be absolute.”

(*The Attorney-General.*) I do not think I need trouble your Lordships with the actual No-Rent Manifesto. I do not propose to ask Mr. Parnell about that.

60,200. I wish to call your attention to this manifesto issued by Patrick Egan. Let me understand distinctly. Your view is, that so far as you could get benefits by constitutional agitation you were to work for them; in fact, the only method was to be constitutional agitation?—Certainly; I never contemplated any other method.

60,201. And that view, you suggest, was shared by Mr. Egan?—Yes, I think Mr. Egan took up the same attitude that Mr. Davitt did, and the other men who had been connected with the physical force party.

60,202. But I wish to know distinctly whether or not you allege that Mr. Egan agreed with you the in so far as you could get advantages by constitutional means they were to be adopted?—Mr. Egan always gave me to understand that he agreed with me that the only means we ought to use should be constitutional means.

60,203. Now, I want to just call attention to this, if you please. This is a document issued by Patrick Egan, treasurer, at page 1558. I will not say I can give you the actual date of the issue. I think, if I remember right, it is in September 1881, but I am not quite sure about that.

“ TO THE PEOPLE OF IRELAND.

“ The Government of England has declared war against the Irish people.
 “ The organisation that protected them against the ravages of landlordism has
 “ been declared ‘ unlawful and criminal.’ A reign of terror has commenced.”

I think that must have been after your arrest?—That was after my arrest, I think.

60,204.

“ Meet the action of the English Government with a determined passive
 “ resistance. The No-rent banner has been raised, and it remains with the people
 “ now to prove themselves dastards or men.

“ PAY NO RENT.

“ *Avoid the Land Court.*

“ Such is the programme now before the country. Adopt it, and it will lead
 “ you to free land and happy homes. Reject it, and slavery and degradation will
 “ be your portion.

“ *Pay no Rent.*

“ The person who does should be visited with the severest sentence of social
 “ ostracism.

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“ *Avoid the Land Court.*

“ Cast out the person who enters it as a renegade to his country and to the cause of his fellow-men.

“ *Hold the Harvest.*

“ Is the watchword. To do that effectually you should, as far as possible, turn it into money. Sell your stock, when such a course will not entail a loss. Make a friendly arrangement with your creditors about your interests in your farms. A short and sharp struggle now, and the vilest oppression that ever afflicted humanity will be wiped away.

“ *No Rent.*

“ Your brethren in America have risen to the crisis, and are ready to supply you with unlimited funds, provided you maintain your attitude of passive resistance, and

“ *PAY NO RENT.*

“ *No Rent.*

“ The tenants of Ireland have still one tremendous move in their power, and that is to *quietly stay at home and pay no rent*. I believe that if they unitedly adopted a policy of passive resistance, which I do not see how it would be possible for the landlords to combat, it would lead to one of the greatest revolutions that Ireland has ever known.”

Do you suggest that that manifesto of Mr. Patrick Egan, whether it was before or after you were in Kilmainham or not, is an advocacy to adopting the lines of constitutional action?—I think it is a very condemnable manifesto.

60,205. Have you ever, until this day, condemned Patrick Egan's No-Rent Manifesto?—That manifesto was issued after my arrest, and after the issue of the No-Rent Manifesto.

60,206. That is not my question, Mr. Parnell?—Excuse me, I will answer your question. It was circulated throughout Ireland as a placard by Mr. Egan's directions. We, in Kilmainham, saw through the newspapers that this placard had been so circulated. I at once told Mr. Brennan, who was imprisoned with me in Kilmainham, that I strongly objected to the terms of the placard, and requested him to write to Mr. Egan to withdraw it from circulation, which he promised to do, and which, I believe, was done, for we heard nothing of it subsequently.

60,207. But I must again ask you, Mr. Parnell. You put in answer to my question a statement that you asked Brennan to write a letter to Egan. Was Brennan then in prison or not?—He was in prison in Kilmainham with me.

60,208. Of course, any such letter would, if it went out publicly—not taken out secretly—have been inspected by the governor?—I should think it did not go out publicly through the governor.

60,209. There were many opportunities of getting out things secretly?—There were opportunities, undoubtedly.

60,210. Many?—I should think various and many opportunities.

60,211. Now, what I put to you is this. Do you suggest that you have seen either published in any print or any Land League organ any withdrawal or repudiation of that Egan No-Rent Manifesto?—I took the steps which appeared to me to be open to me, and most suitable to obtain the withdrawal of the manifesto and the stoppage of any mischief or crime that might have resulted from it.

60,212. That is not the least an answer to my question. Do you suggest that any withdrawal or repudiation of Egan's No-Rent Manifesto ever appeared in any public paper or any Land League organ at any time?—So far as I know there was no Land League organ at that time.

60,213. In any newspaper?—I have not seen any repudiation of it. Our newspaper, our organ, “United Ireland,” was suppressed at that time.

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60,214. Do you suggest there was no Land League organ at that time?—There was an attempt made to carry on “United Ireland” at that time, but it was carried on in a variety of ways by shifts under no settled management, and it could not be described as the Land League organ.

60,215. Do not you know perfectly well you told me yesterday that “United Ireland” was partly edited by William O’Brien while he was in Kilmainham?—I did not say it was partly edited by Mr. William O’Brien; I said Mr. William O’Brien made contributions to it from Kilmainham occasionally.

60,216. Very well, that is sufficient for my purpose. You said you were informed it was a placard all over Ireland. When you say you wrote that you would have it withdrawn or told Brennan to write and have it withdrawn—what did you mean should be done?—I meant that it should not be circulated any further.

60,217. I will not ask you now with reference to the evidence we have already proved, but, as a matter of fact, as far as you know until this day, has there ever been any public repudiation or condemnation of Egan’s No-Rent Manifesto until your words in the box to-day?—When we were in a position to make public declarations this matter had long ceased, and the circulation of the placard had long ceased in accordance with my suggestion to Mr. Brennan. The matter was of no practical importance then.

60,218. Will you explain this to me. You say when you were in a position to make any public statement. Why should not Mr. William have in one of his contributions to “United Ireland” have made a public statement respecting it?—I do not know. I suggest that you should ask Mr. O’Brien that.

60,219. Let me call your attention to the document on page 119. That is Ford’s No-Rent Manifesto.

(*Sir C. Russell.*) What date?

(*The Attorney-General.*) I do not think any date is proved for this. My recollection is it was immediately after the other. We have given lots of evidence about it.

(*Sir C. Russell.*) I do not recollect it.

(*The Attorney-General.*) I put it in through more than one witness. Unfortunately the note given to me was the note of my speech. I will undertake to give your Lordships the reference where that was put in. The actual document is in evidence. I take the blame. I am sorry to say it has been proved more than once.

(*The President.*) Yes, we have got the reference.

(*The Attorney-General, reading:—*)

“ NO RENT.

“ Parnell.

“ Davitt.

Sexton.

Brennan.

“ Dillon.

Kettle.

Egan.

“ Fly the Land Court ! ’Tis a sham, a fraud !

“ He who acts the traitor in the hour of Ireland’s trial shall pay the penalty
“ of his villainy.”

I want you to listen to this, kindly, Mr. Parnell?—Yes, I am listening.

(*Sir C. Russell.*) Give the date of the “World” in which it appears.

(*The Attorney-General.*) It is not in the “World”—it is a placard circulated over Ireland.

(*The President.*) I am told it is also in the “World.”

(*The Attorney-General.*) It may be so, too. My recollection of the evidence was of the actual placard being produced.

(*Sir C. Russell.*) I do not recall any evidence of its being sent to Ireland. I may be wrong.

(*The Attorney-General.*) I do not know that discussion is necessary at the present time. I believe I am strictly accurate. My friend will correct me afterwards, but I will undertake to make search to-night, and see whether I am correct about the matter.

“ He who acts the traitor in the hour of Ireland’s trial shall pay the penalty
“ of his villainy. ’Tis a noble cause you are engaged in—’tis a holy crusade

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“ against a hell-born class—a class who has plundered you and yours for centuries—
 “ a class who has grown fat upon the blood of yourselves and your children—a
 “ class who, rotting in lust and covered with human gore, stalk through the
 “ land scattering sickness, sorrow, misery, affliction, hunger, want and desolation
 “ in their loathsome path. 'Tis a war of right against might, of justice and
 “ liberty against tyranny and oppression—of charity, humanity, and Christianity
 “ against selfishness, brutality, and immorality.

“ Stand firm, undaunted, undeterred in your resolve to have the land that
 “ gave you birth, and though 60,000 bayonets may bristle round you, and
 “ buckshot rain upon you, God is with you, and you cannot be defeated.

“ One more blow and victory is yours.

“ Hold the rent, hold the harvest, hold the land, and the new year which is
 “ about to dawn upon us shall welcome a nation from bondage released.”

“ TO THE MEN OF IRELAND.

“ Office of the ‘ Irish World,’ N.Y.

“ Men of Ireland!—The eyes of the world are on you. Stand together.

“ Be faithful to your imprisoned chiefs. Obey the manifesto ‘ No Rent!’

“ Prepare for sacrifices. Be brave, but prudent.

“ Rely on America. Money and sympathy will flow over to you. We will
 “ succour the children of the evicted, and honour moral heroes.

“ Landlords must go.

“ Be true to principle, and redemption is assured.

“ God save Ireland.

“ PATRICK FORD.”

60,221. Now, Mr. Parnell, do you approve of that?—Certainly not. I think it is a most reprehensible production.

60,222. And you may say, and I anticipate, of course, that that is a matter which may or may not have come to your knowledge at the time?—I never heard of it before. This is the first time that I have heard of that.

60,223. Patrick Egan was not in prison?—He was not. He was in Paris.

60,234. He was in Paris?—Yes.

60,225. So far as you were concerned, you had the greatest confidence in Patrick Egan?—Yes,

60,226. You believed him to be a man who would act on strictly constitutional lines?—I did, from everything he had ever told me.

60,227. I only, of course, suggest to you that if the movement were concerted, that is to say, if there was a combination between the Ford section, whatever he represented, and the Patrick Egan section, this would appear to be a simultaneous act of both parties?—I do not draw that deduction from it. It would appear to be an endorsement by Mr. Patrick Ford of the No-Rent Manifesto, and an exaggeration of it, and, in fact, Mr. Ford's idea of what we should have done.

60,228. Now let me call your attention, if you please, in this connexion to this No-Rent Manifesto, “ United Ireland,” 15th of October 1881. I do not think I need trouble about that. It is not so strong as the manifesto. Mr. T. P. O'Connor, M.P., was one of your lieutenants, Mr. Parnell?—Yes.

60,229. Has acted with you throughout?—Yes, he may be said to belong to the moderate section of the Land League.

60,230. Did you see a report of Mr. T. P. O'Connor's speech in Kansas with reference to the Land Act?—I should think it is most unlikely. I do not recollect having ever seen any of Mr. O'Connor's speeches in America.

60,231. Now I must call your attention, please, to an extract in “ United Ireland ” of 11th February 1882, purporting to be Mr. T. P. O'Connor's speech at Leavenworth, Kansas, quoted from the “ Irish World.”

(*Sir C. Russell.*) He says he never read it.

60,232. (*The Attorney-General*) Pardon me, but it is from “ United Ireland ”?—We were not allowed to have “ United Ireland ” in Kilmainham, and we were not allowed to have any American newspapers.

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[Continued.]

60,233. I am dealing, if you please, with "United Ireland." You were not all in prison, you know, Mr. Parnell. Some person was managing "United Ireland." You have told us contributions were made by Mr. William O'Brien?—Yes, quite so.

60,234. Do you know that it has been stated, I think by Mr. William O'Brien, that he edited "United Ireland" quite as effectively from Kilmainham as he did outside?—Not so far as I know.

60,235. You do not remember that statement?—No; "United Ireland" was edited in Paris.

60,236. By whom?—By Mr. Eugene Davis during a portion of the time.

60,237. Was Mr. Eugene Davis connected with the Land League?—No, I do not think he ever had been connected with the Land League.

60,238. Was he a Fenian?—He has the reputation of being a man of physical force opinions.

60,239. Well, you prefer this euphemistic expression; it is something like "exclusive dealing." In fairness to my question, have you the slightest doubt that Eugene Davis is a Fenian?—I cannot express any opinion upon the question.

60,240. He has the reputation of being?—He has the reputation of having advanced physical force opinions.

60,241. I do not care to press it at the present moment, as I shall have an opportunity of putting it later on—this report of Mr. O'Connor's speech in "United Ireland." If your Lordship thinks I ought not to put it now, I will defer it.

(*The President.*) He says he has not seen it.

60,242. (*The Attorney-General.*) December 2nd, 1882—you were not in Kilmainham then?—No, not in December 2nd, 1882.

60,243. You came out in May, you know, after the Kilmainham Treaty, so that we can fix that date. Now, just remember you had assumed command?—Yes, in December 1882.

60,244. Mr. William O'Brien was in the full possession of his editorial capacities at that time?—Undoubtedly he was, but I never assumed any command over "United Ireland."

60,245. No, you left that to Mr. William O'Brien?—I left it to Mr. William O'Brien.

60,246. You do not deny it was the organ of the Land League?—Undoubtedly.

60,247. You mean undoubtedly it was?—Undoubtedly the organ and the property of the Land League; that is to say, bought with the money of the Land League.

60,248. Now I ask you to listen to this, please. You know you have suggested that you had certain objections to the Land Act on the ground that it did not afford sufficient protection to the smaller tenants, under 5*l.*; did not include leaseholders; and, I think, did not go back to the date of the application. I think those were the principal things, or did not deal with the rent?—There were four main objections which our Bill was designed to remedy: the imperfection of the protection of the tenants' interest; the absence of provision for leaseholders; the absence of the advance of the whole of the purchase-money; and the date of the fixing of the judicial rent.

60,249. It is not necessary to put that on the note again. We have had it already often in your evidence in chief. I want to call your attention to the utterance of "United Ireland" in respect of the Land Act on the 2nd December 1882.

"THE TRUTH ABOUT THE LAND ACT.—PERISH LANDLORDISM.

"What are these extraordinary measures and concessions for which we are expected to tamely starve and be thankful? An Act which was passed ostensibly to please Irish farmers, but which is plainly and undisguisedly administered to conciliate Irish landlords. An Act that fixes rent for 15 years, and thus endeavours to prolong the existence of that system which is the incarnation of evil and confiscation, and the cause of Irish poverty, ruin, and murder. There is no honesty in the Act, there is no finality, no settlement, no peace. It is without heart or earnestness, and has already failed to achieve anything worth counting on the side of Irish peace and prosperity. Perpetuating landlordism by fixing rents. Oh, no! From the homes of 200,000

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“ starving people—from the depths of the wide Atlantic—from the shades of the
 “ murdered landlords, as well as from those of their famished victims—ay, from
 “ the regions of the damned, where souls are expiating the crimes that were born
 “ of Irish landlordism, some shrieks of supplicating agony demanding the
 “ destruction of Irish landlordism. (Cheers.) Let it perish, then, while the
 “ execrations of the damned shall form its fitting requiem; and may the hate and
 “ vengeance that have been born of its accursed acts, and that have defamed the
 “ character of this old Christian land, sink with it into the depths of an infamous
 “ and everlasting oblivion.”

60,250. Do you approve of that article?—It is a very strong description and expression of, I suppose, the opinion of the writer of the article of the failure of the Land Act of 1881 to settle the question, and his dissent from the principle of the measure.

(*Mr. Davitt.*) It happens to be an extract from my speech and not an article from “ United Ireland.”

(*The Attorney-General.*) Whatever it be, I do not think there is any ground for this interruption. f

(*Sir C. Russell.*) It is, I think, important. You are perfectly right to be corrected, with great deference.

60,251. (*The Attorney-General.*) Whether it be so or not, Mr. Davitt was working with you in the Land League?—I think there is a great deal of truth in that statement.

60,252. That is not my question—whether there is a great deal of truth in it or not. I will not take your statement with respect to that. I am suggesting to my Lords that you were glad of the result of the Land Act as far as it went, and objected to certain omissions from the Act?—We were willing to give the Land Act a fair trial; while believing or fearing that our views with regard to the impossibility of reconciling the joint interests of the landlord and tenant in the soil would prove ultimately to be well founded; yet we were willing to get as much good as we could out of the Land Act.

60,253. You were willing to give the Land Act a fair trial?—Yes, undoubtedly.

60,254. That you represent?—Undoubtedly, and I stated so publicly at the time at the meeting before I was arrested.

60,255. Now, I call your attention, as you put that answer to me, to the utterance, the last utterance, I believe, of “ United Ireland,” before the No Rent Manifesto, the 15th October 1881.

“ MR. GLADSTONE IN HIS FIT.

“ The organisation which he strove to crush has received a plenary national
 “ commission to see whether that Act ”

That is the Land Act.

“ can be used as an instrument to destroy landlordism and English rule; if it
 “ cannot, to put the Act contemptuously aside and destroy landlordism and
 “ English rule without it.”

Do you approve of that?—That is the opinion of the writer of the article. There was great difference of opinion undoubtedly at that time, and during the whole of that summer with regard—

60,256. But it is the organ of the League?—With regard to the merits of the Land Act.

60,257. But, Mr. Parnell, it is the organ of the League?—Will you allow me to make my explanation? And some portion of the League violently attacked the Land Act. Others said, Well, let us try and see if we cannot get some good out of it with me. Others said that the Land Act was a splendid thing, and that it was going to settle the Irish land question. Opinions were very strongly divided, and as a compromise between the extreme section who desired to oppose the Land Act altogether and have nothing to do with it, and the views held by myself and others who wished to get what we could out of the Act, the policy of test cases was resolved upon.

60,258. I am not upon the policy of test cases. You have enumerated the classes to whom you have referred, but you have not mentioned this class—the class that stated that “ the organisation which he ” (that is Mr. Gladstone) “ strove to crush.” That you admit was the Land League?—Yes,

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60,259.

“Has received a plenary national commission to see whether that Act can be used as an instrument to destroy landlordism and English rule; if it cannot, to put the Act contemptuously aside and destroy landlordism and English rule without it.”

That was the opinion of the writer of the article who probably belonged to the advanced section of the Land League——

60,260. Published in your organ?—That I have spoken of as being desirous of having nothing to do with the Land League.

60,261. Published in your organ?—Published in the newspaper which was purchased by the money of the Land League, and which may be said to be the organ of the Land League so far as that fact entitles it to be.

60,262. Now you go back to what you said a moment ago about its being an organ. I ask you, sir, do you mean to deny that “United Ireland” from August 1881, was one of the recognised organs of the Land League?—That depends entirely upon what your interpretation of the expression “organ of an organisation” means. If you mean that “United Ireland” was under the control of the executive of the Land League at that or any other time, I say that it was not.

60,263. Whose control was it under?—It was under the control of Mr. William O’Brien, and always has been under his sole control.

60,264. Was Mr. William O’Brien a member of the Land League?—Mr. William O’Brien was a member of the Land League undoubtedly.

60,265. A trusted member?—A trusted member.

60,266. A representative of your policy?—He was a representative of the advanced section of the Land League.

60,267. Do you or do you not separate yourself from that enunciation, whether it be official or semi-official organ? Do you approve, or do you not, of that statement in “United Ireland”?—I say that there is a good deal of truth in the statement.

60,268. No, no?—If I had been writing a criticism upon the Land Act I should have written it in a different way and in different terms. My views upon the Land Act were fully expressed at the time in my published speeches, and I am perfectly willing that all those speeches should go before their Lordships.

60,269. You never said anything about the truth in this paragraph with reference to the other one. You spoke about there being a good deal of truth with reference to the paragraph which is said to be from Mr. Davitt’s speech in 1882?—Yes.

60,270. This states (I will not repeat it again) that landlordism is to be destroyed, and I ask you distinctly, do you or do you not approve of that?—Undoubtedly, I thoroughly approve of the destruction of landlordism, and I propose to bring about the destruction of landlordism by purchasing them out and making the tenants the owners of their holdings.

60,271.

“An instrument to destroy landlordism and English rule; if it cannot, to put the Act contemptuously aside and destroy landlordism and English rule without it.”

Does that represent constitutional action?—I think that the expression, “the destruction of English rule,” is not one that is permissible. I have never used it myself in any of my speeches.

60,272. You have explained this with reference to Mr. William O’Brien’s position. Was he paid by the Land League a salary for being editor of “United Ireland”?—To tell you the truth with regard to Mr. O’Brien’s salary, it has been very often more conspicuous by its absence, than by its presence.

60,273. We know the Land League had in the years 1881 and 1882 something between 200,000*l* and 300,000*l*. Do you represent that the Land League did not pay Mr. William O’Brien’s salary for being editor because they had not money enough?—So far as I know the Land League never paid the salary of Mr. William O’Brien. I fancy it was paid out of the profits of the paper.

60,274. Was he supposed to have a salary?—He was supposed to have a salary.

60,275. From whom—the proprietors of the paper?—From the company.

60,276. Were you one of the principal shareholders?—I was one of the largest shareholders; Mr. Egan was the other.

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60,277. Did not you and Mr. Egan hold those shares and the profits of the paper solely as trustees of the Land League?—Well, practically.

60,278. Then what did you mean by saying just now he was paid out of the profits of the paper—that there was no salary paid by the Land League to Mr. William O'Brien?—Well it was not paid by the Land League or out of Land League funds.

60,279. You draw a distinction?—It was paid by the directors of the company.

60,280. Of whom you were one?—Of whom I was one for some time.

60,281. And the executive, the principal shareholders in “United Ireland,” managed that paper?—The executive of the Land League had nothing to do with the management of the paper at any time.

60,282. The principal shareholders?—Mr. O'Brien managed the paper. Mr. O'Brien would not allow or would not occupy his post for a single hour if the paper was to be managed by anybody besides himself. As to his salary he never received any salary while he was in Kilmainham at all. While Mr. O'Brien was in Kilmainham he never received a penny of salary.

60,283. (*Mr. Murphy.*) He got it afterwards, I suppose?—No, he did not get it afterwards.

60,284. (*The Attorney-General.*) We will ask you about Mr. O'Brien if it is material. I have your position. Did the money for the purchase of “United Ireland” come from America?—I cannot say—I should think that the money of the Land League mainly came from America.

60,285. Did the money to purchase the paper which developed into “United Ireland” come from America?—It was the Land League money, and the Land League money came from Ireland, and America, and Australia, but mainly from America.

60,286. Was it not mainly contributed from America?—Certainly, but what I mean is that the money for the purchase of “United Ireland” was not expressly contributed by America, or by people in America, for that purpose.

60,287. Was not there an express fund for that purpose?—No.

60,288. Are you quite sure?—Oh, quite sure.

60,289. An express grant from America to assist in the purchase of “United Ireland”?—Not at all.

60,290. Or the papers. You are sure of that?—Quite sure.

60,291. You are quite clear about that?—Yes, I have a recollection that the money was paid by Mr. Egan, as treasurer of the Land League, out of the money under his control.

60,292. Now I want to ask you a little about these organs of the Land League. Can you tell me any paper which was more the organ of the Land League than “United Ireland”? Now I call your attention to this statement made in the “Irish World,” of the 5th September 1885, purporting to be made by Transatlantic. I put to you whether this is true or not.

(*Sir C. Russell.*) I beg your pardon for a moment. My friend has a right to ask whether a fact or an assumed fact he gets from the papers is or is not true, but he has no right to read a paragraph from a paper giving apparent authenticity to that statement, and then ask if that is true. My friend has no right, in other words, to get it upon the note which he would do if he read a paragraph from the paper.

(*The Attorney-General.*) I proposed as a matter of courtesy to give my friend the source from which I got the statement. I am perfectly willing to give it as a statement of fact. I admit your Lordship's reproof of me was merited a short time ago when I did not give Sir Charles Russell the source of my information spontaneously. I propose to put this and ask this gentleman whether it is true or not. I tell Sir Charles Russell among other things, I refer to a statement in the “Irish World” of the 5th September 1885.

60,293. Was not a special sum of money sent over to you by the trustees of the Emergency Fund?—Of the Emergency Fund?

60,294. Yes?—To the best of my belief not. I have never heard of such a thing.

60,295. Or trustees of the Skirmishing Fund?—Save and except the sum that Mr. Davitt states that he got I have never heard of any other sum being sent.

60,296. To enable you to purchase the plant and interest of the “Irishman” newspaper?—No, nothing of the sort. There may have been some proposal on the part of the Extremists in America to purchase it for themselves.

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[Continued.]

60,297. Was an Irish publishing company formed of which Messrs. Parnell, Biggar, Pat. Egan, Tom Brennan, and William O'Brien were the trustees and directors. Is that so?—Undoubtedly.

60,298. They bought out Mr. Richard Pigott?—I do not think Mr. William O'Brien was a member of the original company?

60,299. I think you will find he was if you refer to the articles of association?—Of the original company?

60,300. Of the original company. "They bought out Mr. Richard Pigott, and then " started 'United Ireland' as a companion paper to the 'Irishman.'" As to the receipt of money or the special sum, is the paragraph true?—The paragraph is certainly untrue.

60,301. Save and except that, is it true?—About the formation of the company?

60,302. The formation of the company and the buying out of Richard Pigott?—Certainly, I have already stated that.

60,303. Now I must press you upon this. Is it not the fact that a special sum of money was remitted to you with the object stated in that paragraph?—Certainly not.

60,304. Now was there any paper which had a more official connexion with the Land League than "United Ireland"?—I think you are fairly entitled to say that "United Ireland" was the chief organ of the Land League.

60,305. I want to get the facts. It is not what I am entitled to say. Then you admit that "United Ireland" is what I may call the chief organ of the Land League?—There were many other organs throughout the country—other newspapers.

60,306. Was the "Irishman" one of those organs?—The "Irishman," I think, was only maintained for a period after the purchase of "United Ireland," and then ceased to exist.

60,307. Does not it exist to-day?—Not the "Irishman."

60,308. When did it stop then?—I think it stopped about a year after the paper was purchased.

60,309. As long as it existed it was under the control of the Land League?—I have said that "United Ireland" was never under the control of the Land League.

60,310. As long as the "Irishman" existed?—The "Irishman" was under the control of Mr. William O'Brien.

60,311. I take it in this way, for I want to get this before my Lords prominently. The paper of Richard Pigott, the "Irishman," was bought by the company?—It was part of the purchase, yes.

60,312. It was continued under the editorship of Mr. William O'Brien?—Yes, under his control and management, and I think, editorship.

60,313. And "United Ireland" started at the same time?—And "United Ireland" at the same time.

60,314. Had not the "Irishman" been the Fenian organ up to that time?—I believe that Mr. Pigott has so stated.

60,315. Is it not true?—I doubt it.

60,316. Had not the "Irishman" up to the purchase by you from Richard Pigott been supposed to be the physical force organ?—I think if there was any physical force organ that the "Irishman" might be said to have been one.

60,317. Then I may take it that you cannot tell me the name of a paper which was more the official organ of the Fenian or physical force party than the "Irishman"?—I am inclined to think that at that time the "Irishman" was such a disreputable paper that nobody would have had it as an organ.

60,318. You purchased it you know in July 1881?—We purchased it in order to terminate Mr. Richard Pigott's journalistic existence in Ireland.

60,319. And continued the paper?—The paper was continued, I think, as I have already said, for about a year.

60,320. As a matter of fact, do you not know it was continued up to the year 1885, four years after the purchase?—That is not my impression, but it may have been so.

60,321. Now was not the first issue of the "Irishman" under Mr. William O'Brien's editorship on the 6th August 1881?—I do not know. We paid no attention to the "Irishman." It was a mere thing that was kept going for no particular purpose or object.

60,322. A thing which was kept going for no particular purpose. You wear that?—Yes, certainly. It died a natural death subsequently—had to be stopped.

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60,323. A disreputable paper?—It was a disreputable paper up to the time that we bought it.

60,324. And you wanted to get rid of it by continuing it; is that it?—We did not know exactly what to do with it.

60,325. Let me call you attention to the editorial notice of the 6th August 1881, the first issue under Mr. William O'Brien's editorship.

“The ‘Irishman’ has changed hands, but not minds.

“The history of its past is the programme of its future.”

This, you know, is the disreputable paper.

“Thrice in its career a transfer of management has taken place, but not once

“has it swerved from the great principles for the advocacy of which it was first

“established. As there has not been, so there shall not be any change in its spirit.”

Do you represent now that that paper was disreputable, and bought because it was disreputable, and intended to be suppressed?—Undoubtedly, and Mr. O'Brien could clearly not have referred to the few years preceding the purchase in that. I am confident that Mr. O'Brien would not have announced to his readers that the publication and circulation of the “Irishman” was going to be continued in the same spirit which had belonged to it during the few years before our purchase of the concern.

60,326. Well, Mr. Parnell, I put this, I call your attention that this is not limited in any way. You have sworn the paper had been so disreputable that it was purchased in the interests of purity of journalism to get it out of the way?—Undoubtedly—purchased because it was a very serious impediment to the movement of the National League, acting in most disreputable ways, as we know.

60,327. We will see about that presently.

“Not once has it swerved from the great principles for the advocacy of

“which it was first established.”

Would not that be understood by any ordinary Irishman who was acquainted with the history of journalism to mean “Fenianism”?—I do not think so.

60,328. What then?—Do you mean the advanced national idea?

60,329. Physical force?—Not necessarily.

60,330. Well, what do you mean? You have never told us before. You have told us two or three times that the advanced national section was physical force. What do you mean?—It would depend upon the circumstances from time to time. It would be a paper beyond the “Nation”—more advanced than the Irish “Nation.”

60,331. Now, of course, the “Nation” went on all the time?—The “Nation” was.

60,332. If your statement is correct that you intended to give up or put an end to this paper, when it had done so much harm, why did not you stop it?—Well, we had the management of it in our own hands, and that fact, of course, rendered the paper innocuous.

60,333. Then I understand you to mean that you, by the subsequent management of the “Irishman” prevented any continuance of the noxious teaching which had previously prevailed?—Certainly.

60,334. And for that reason you said it would not change its principles?—I included the principles which had governed its management through the subsequent period to the purchase of it.

60,335. You said the Land League never had anything to do with these papers. Listen to this. It is 23rd July 1881.

“The ‘Irishman’ newspaper has been purchased by Mr. Patrick Egan, treasurer of the Land League, thus placing the whole of the so-called National Journals of Ireland under the control of the Land League.”

Is that true or not?—I think that is a considerable exaggeration.

60,336. Do you know that appeared in the “Nation” of 23rd July 1881?—I do not know; I never read the statement before; it was rather an extraordinary statement for the “Nation” to make, which was called a Nationalist journal.

60,337. “Thus placing the whole of the so-called National journals of Ireland under the control of the Land League.” At that time would not that be meant to be the “Irishman” and “Nation”?—The “Irishman” and the “Nation”?

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60,338. The "Irishman" and the "Nation"?—And the "Nation"?

60,339. Yes, it may be "The Flag of Ireland" for all I know, as well?—The "Nation" was certainly one of the whole journals of Ireland, but the "Nation" was not purchased.

60,340. I did not say the "Nation" was purchased. You have stated to me but a moment or two ago that it was true that the "Irishman," or its successor "United Ireland," were under the control of the Land League?—Certainly.

60,341. Now I ask you whether or not this statement, in your opinion, confirms your previous answer "that the 'Irishman' has been purchased by Patrick Egan, the treasurer of the Land League, thus placing the whole of the so-called National journals in Ireland under the control of the Land League?"—That was the statement made by the "Nation" on its own responsibility.

60,342. The "Nation" was an organ of the Land League?—The "Nation" was one of the organs of the Land League.

60,343. "United Ireland" did not exist?—Not at that time.

60,344. The "Irishman" would now become under your control?—The "Irishman" was.

60,345. The "Nation" goes on in this way: "I am obliged to Mr. Ronan; I might have been misunderstood." That is in the "Nation" as a quotation from the "Standard."

"The first part of this announcement we believe to be correct; the second part is not accurate. The 'Nation' and 'Weekly News' are to-day what they have ever been since their foundation, independent National journals";

so that the "Nation," under whatever organisation, was not under the control of the Land League?—Undoubtedly.

60,346. Then the papers to which the passage must refer are the "Irishman" and its successor, "United Ireland"?—That is what I was trying to explain to you.

60,347. My Lords and ordinary observers would scarcely have supposed that in your previous answers; but that is a matter of opinion. Now the policy of the "Irishman" changed; the previous Fenian tone of it disappeared. Is that what you mean?—I do not know what the tone of the "Irishman" was. I did not pay any attention whatever to that newspaper.

60,348. You have represented to my Lords that you got hold of this paper for the purpose of suppressing a journal which was in your opinion a disgrace to journalism; that is your statement?—Yes, and an injury to our movement.

60,349. I call your attention, and I remind you again of the statement—the editorial statement in the paper:—

"The 'Irishman' has changed hands but not minds, the history of its past is the programme of its future. Thrice in its career a transfer of management has taken place, but not once has it swerved from the great principles for the advocacy of which it was first established, as there has not been, so there shall not be any change in its spirit."

Now, I put it to you, sir, do you suggest that any physical force extreme man reading that, would not consider that the principle which had governed the "Irishman" in the past, was not going to govern it in the future?—I do not know what an extreme physical force man would consider, but I should consider from reading that, that it was intended to convey that the "Irishman" would advocate what was the most advanced policy of the day—that it would keep ahead of the "Nation," which was the more moderate National organ.

60,350. Now, from that date down to its termination, did it not remain under the editorship of Mr. William O'Brien?—I believe so.

60,351. Was it not owned by the same proprietors as the other?—Certainly.

60,352. Was it not managed by the same persons managing "United Ireland"?—Certainly; but it never paid its expenses.

60,353. I did not say anything about paying its expenses. You kept it going at a loss?—We kept it going at a loss.

60,354. What for?—I do not know, I am sure.

60,355. Come, Mr. Parnell, do yourself justice?—The first time Mr. O'Brien brought the matter before my attention I said by all means cease to circulate it.

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60,356. Do you mean to represent that the "Irishman," having been supposed to be the organ of the Fenian section prior to its purchase from Pigott, that you do not know what object Mr. William O'Brien or anybody else had in keeping it going on for four years?—I have not supposed the "Irishman" was the organ of the advanced section.

60,357.—The advanced section?—Mr. Pigott appears to have been endeavouring to make it everybody's section.

60,358. The advanced section. I have heard your answer?—What I have said about the "Irishman," looking back upon its past history prior to the four years before Pigott had allowed it to deteriorate, in the manner in which I described, is that it always represented the most advanced section of politics for the time being.

60,359. And if it continued, without a change of spirit, it would appeal to the most advanced section?—It would appeal—it would be the organ of the most advanced political programme.

60,360. You have told me once or twice to-day that at any rate you meant to include the persons who are still Fenians?—So far as any of those men were within the Land League organisation.

60,361. But the clientele to which it would appeal, if it would appeal to anybody, would be the most advanced section?—It would be the most advanced section of the Land League, I should say.

60,362. Did the "Irishman" commence to publish a Land War column. I will not take the period when Mr. William O'Brien was in Kilmainham. Did the "Irishman" publish a Land War column?—I cannot say, indeed, it is very likely that it did.

60,363. I call your attention to the "Irishman" of 18th October 1881?—The only column I recollect in "United Ireland" is a column headed "The Incidents of the Campaign."

60,364. I am speaking of the "Irishman"?—I do not know anything about the "Irishman."

60,365. I call your attention to one or two extracts from it, which I have to bring to your notice in connexion with what has been advocated by one of the organs of the company—I will not say more than that. It is the 8th October 1881, and headed:—

" A RUMOUR.

" A Press Association telegram states that a farmer named Leary, residing near Rathmore, was, on Monday night, visited by 40 disguised men, and warned not to pay rent. Several of their number fired at him, and he died on Tuesday morning.

" ALLEGED SHOOTING NEAR KANTURK.

" The 'Central News' says:—' On Monday evening, a man living near Kanturk was fired at, and it is believed mortally wounded. He had carried oats for a boycotted farmer.

" RUNNING FOR HIS LIFE.

" A bailiff, who some days ago arrived at Cranavone Cahir to serve writs on Lord Waterford's property had to run for his life.

" THE HOLY WAR.

" Mr. Patrick Egan, treasurer of the Irish Land League, telegraphed to Father Sheehy, congratulating him upon his release, and hoping he may long be spared to help on the holy war against Saxon rule."

Do these occur to you as being paragraphs that would be understood by the extreme or advanced section as constitutional actions?—I do not think those paragraphs appeal to the physical force section at all.

60,366. Mr. Hamilton Williams, do you know him?—No, I have heard of him.

60,367. What have you heard of him as?—I heard that he was a sergeant or ex-sergeant in the Army.

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60,368. Did you know him?—No. I have never met him.

60,369. Do you know what he was in the year 1881?—No.

60,370. Now, I call your attention to this—it is published in the “Irishman” of the 15th October 1881, and is a letter to the editor, to the editor of the “Irishman.”

“Sir—Let the Land Act try itself. . . . The Irish tenants must remember that the landlord class will neither forgive nor forget. It is a matter of war to the knife, and the knife to the hilt, and there is no possibility or pretence of safety for the tenant, save in the utter annihilation of landlordism in Ireland. . . . A general strike against rent, with no possibility of individual back-sliding, if effective this autumn, would bring landlordism to the ground, and put the country within measurable distance of an acceptable Land Bill.

“That, sir, in brief, is my view of a fair trial for the Land Act.—Your obedient servant.

“HAMILTON WILLIAMS.”

That does not occur to you as appealing to constitutional action?—I have never seen the letter before.

60,371. That is not my question. You are the President of the Land League, and the person who is the proprietor of these two semi-official organs. Does that appear to you to be something likely to encourage constitutional action? Answer that, if you please?—It appears to me to be the letter of a man who had not quite made up his mind what he was going to be at.

60,372. Does it appear to you to be a letter which would guide people towards constitutional action?—I should scarcely think so.

60,373. Just produce the “Irishman” of the 17th December 1881—this is a quotation from Mr. T. P. O’Connor’s speech—the moderate gentleman—you know, one of the moderate section of the Land League. Give me the date in the “Nation.” My Lords, I would rather be perfectly certain that it is in the “Irishman” before I read it, so will you allow my passing it; I shall put it in afterwards. My Lords, my friend Mr. Ronan tells me he has verified it as being in the “Irishman.” It is the same report as appears in the “Irish World.”

“The landlord has not got any rent from the ten thousand who are ejected from the farms, and he is not going to get any rent. What becomes of those ten thousands farmers meantime. We will put the tenants near (*sic*) these farms as we possibly can. They like to have a glimpse of their old home, and if I was an agent of an insurance society, I would not like to have my whole organisation and co-operation dependent on the ten thousand farmers who will go into the farms that the other ten thousand have been evicted from.”

Does that occur to you as a speech of one of the moderate section?—The observation about the insurance society is a very unusual observation coming from Mr. O’Connor.

60,374. I did not say whether it was unusual or not. I ask you whether you regard that as the speech of a moderate person?—Certainly not, that portion of it about the insurance office; but I do not see anything objectionable in the rest of it.

60,375. I am referring to this passage which deals with an insurance company not having their income “dependent upon 10,000 farmers, who will go into the farms from which others had been evicted from.” Listen, please. Had persons been murdered before that date or shot at who had taken evicted farms?—Frequently, in the history of Ireland.

60,376. (*The Attorney-General.*) My Lord, I am obliged to show, with reference to the other paper, the “Irishman,” the continuous spirit of these utterances down to the time it disappeared in 1885. I must read some. Of course I might leave others out, but I would rather read them all now, and have them appear fully in the note. I only make a selection of those which seem to me to be of importance. I am glad to find the next speech, one of Eugene Sheehy’s has been already read. Now I call your attention to this, the 21st of January 1882—

“A complete and respectable army, numbering thousands of horse, foot, and artillery, is encamped in that part of King’s County in which the town of Edenderry is situated. At night a hundred bivouac fires cast their red, flickering glare over against the hills, and the clank of arms, the heavy tramp of the

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“ cavalry, the bugle notes, and the sentinel’s challenge—all these signs and tokens
 “ of real war are there in the midst of the King’s County. . . . In spite of
 “ all this, something effective is done every night by the other army, which is
 “ composed of the Irish people. One day it is a bridge blown up, another a deep
 “ trench is dug round Duffy’s farm, and so the war goes on determinedly on both
 “ sides. The English sappers and miners, and the whole engineer corps of the
 “ army are daily engaged repairing the destruction of the night before.”

Does that occur to you as a passage that would appeal to the advanced section?—If you ask me, I do not see the special appeal to the advanced physical force section. It refers to the cutting down some trees by Mr. Carew at the time of some evictions in the county. It is described in a very florid and exaggerated way.

60,377. I think, Mr. Parnell, you are wrong in reference to the facts. However, I will take your idea that it is confined to the cutting of the trees. “One day a bridge was blown up.”—I do not believe a bridge was blown up.

60,378. Will you swear that?—No; I say I do not believe it.

60,379. Have you heard the evidence in this case?—A bridge may have been destroyed, but I do not believe it was blown up.

60,380. Do you suggest that would indicate to the readers of the “Irishman”—the Irish people—that these were constitutional means?—It certainly is not a recommendation of constitutional action. It is an exaggerated description of occurrences which appear to me to be somewhat trivial.

60,381. Now I call your attention to this in passing, the 4th of March 1882:—

“ HANNAH REYNOLDS IN KERRY.

“ The ‘Irishman’ of this date states that Hannah Reynolds had just visited
 “ Rathmore, Rossleigh, Cahirciveen, Tralee, Castleisland, Knocknagoshil, and
 “ Brosna.”

Now, not to repeat what appears in the “Irishman;” do you know that the “Irishman” also published the reports that came from Patrick Ford in the “Irish World”?—No.

60,382. That Patrick Egan sent a statement week by week, or issue by issue, of the funds that had been received as Treasurer of the League from the “Irish World.” I have not read that. Then in the “Irishman” of the 8th of April 1882:—

“ THE SICILIAN VESPERS.

“ *Id est*, the wholesale massacre of the alien on the soil of Italy by Italians
 “ is applauded by London publicists. Now if this precedent were to be—but
 “ we pause in charity to the thoughtlessly enthusiastic.”

Does that paragraph appear to you to appeal to constitutional action?—Apparently not.

60,383. That is the 8th of April 1882. Now the 15th of July 1882. Then Mr. William O’Brien and others had been released, I think?—Yes.

60,384.

“ DYNAMITE—CURRENT NOTES.

“ The English have employed dynamite in destroying the Egyptian forts.
 “ Englishmen are angry because O’Donovan Rossa proposes to use their own
 “ thunder against themselves.”

Does that occur to you as being an objection to the dynamite policy?—It is not an objection to the dynamite policy.

60,385. Of course you were exceedingly anxious that criminals should in all cases be brought to justice, Mr. Parnell?—Why do you hesitate?—That depends upon your interpretation of the word “criminals.”

60,386. I speak of persons who had been engaged in outrage and crime, sir?—I have always thought it right to punish persons who perpetrated outrage and crime.

60,387. Then I understand you to mean, whatever the interpretation of the word “criminal” be, that you were always desirous that criminals should be punished?—

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From my definition of the word "criminal," given to the Court yesterday in the concluding passage of my direct evidence.

60,388. I do not understand you. Just repeat it for my guidance. Repeat what you had in your mind?—It was when Mr. Asquith asked me whether I had always been endeavouring to keep the organisation of the Land League and of the National League clear from crime—free from crime and in a constitutional path. I said I had done so, with the exception of the crime which we had been charged with, of inciting tenants not to pay their full rents, if that was a crime.

60,389. That is your only exception?—If that was a crime, we were prepared to repeat it.

60,390. That is your only exception?—That is my only exception.

60,390a. You were of course acquainted with the preliminary inquiry section of the Crimes Act, both I think of Mr. Gladstone's government and of the year 1889; you know what I mean?—Yes.

60,391. That was proposed to be continued and made perpetual in the proposed code early in 1883 or thereabouts?—Yes.

60,392. That was one of the matters you came back to oppose?—I opposed the Crimes Act steadily all through.

60,393. I must refer to that—to the proposition to make it practically a part of the permanent criminal code—that there should be the power of holding a preliminary inquiry?—Yes, I tell you I opposed that and succeeded in throwing the Bill out.

60,394. I call your attention to this—

"The Spanish Inquisition was blunt and brutal; the Star Chamber was a diabolical institution; but the inquisition going on for the last fortnight in Dublin Castle is more horrible and disgraceful than either."

Now I will ask you to listen to this—

"In the Kingdom of Dahomey, in the dominions of King Theebaw, in the government of Coomassie, there may be more savagery, more bloodthirsty absolution In the midst of these beautiful surroundings stands Dublin Castle, a whited sepulchre without; inside it is a trap, a snare, a grand inquisition to reduce men to speak something to their own destruction. The inquisition in Dublin Castle is an outrage upon mankind, and an unblushing violation of law, religion, and civilisation. If any crime could be greater than the Park murder it is this inquisition. Obviously, the Government, or some one having authority in the Castle, is making use of the jackal journals to further the illegal proceedings of the inquisition. The comments which appear in those reptile papers have the official stamp on the face of them. They are written purposely to frighten people into making disclosures by giving hints that the Government have got a clue, that they are at last on the track of the Park murderers, that one of the band has made a clean breast of the whole plot. . . . It is quite clear that the Government have not the slightest clue to the Park murder."

That is in the "Irishman" of the 23rd December 1882. Is it your view that that invites constitutional action?—I think it is a strong expression of opinion against the inquisition clauses of the Crimes Act.

60,395. Do you approve of that article or not?—I approve very much of the view that is put forward there.

60,396. Do you approve of the article?—If I were writing a criticism upon those sections I would write it in a different way.

60,397. Do you approve of any of that article?—I think the language is exaggerated and I do not approve as a rule of exaggerated language.

60,398. Have you any doubt that this is an article which would appeal to the most advanced section of whatever movement it was, Land League or other?—I do not think so, in particular.

60,399. Do you not think that that article would prevent information being given?—I do not think so. I do not think that it would particularly have that tendency any more than a denunciation of the sections themselves would have that tendency.

60,400. You see nothing more than that in it?—I see nothing more than what I have described, that it is an exaggerated description of the tenour of those sections. I have always objected to those sections very strongly, because I think it leads in some

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cases to the conviction of innocent persons, and I have always held that it is better that some guilty men should escape than that any innocent person should be convicted.

60,401. I call your attention to this language, as you partially justify this paragraph,—"If any crime could be greater than the Park murders, it is this inquisition." Do you approve of that?—That is a part of the exaggerated language I have already criticised.

60,402. I assume you know—I think it has been stated more than once—I do not know whether you share the opinion or not, that it was the inquiry section which led to the discovery of the criminals of those murders which you denounced yourself?—I think it is very probable that the inquiry section of the Crimes Act was one of the chief, next to our own denunciation of the crime, which enabled the discovery of the criminals to be made, but I do not think that that inquiry section by itself would have discovered those murderers.

60,403. This article is December 1882—do you remember, it is boasting that up to that time the Government had not got any clue? Do you observe that?—I do not go so far as you do in saying it is a boast.

60,404. Well, it is a statement?—It is a statement.

60,405. It is an article which would induce persons not to give evidence before what is called the "Horrible Inquisition"?—I do not go so far as to think that; it might have that effect, but I do not go so far as to think so.

60,406. "The Irishman," 3rd of March 1883.

"The validity of the claim for the extradition of Mr. Frank Byrne and Mr. Sheridan addressed by the English to the French and American Governments depends entirely on the question as to whether the Park assassinations were or were not a 'political' crime. So prominent a member of the English Government as Mr. Forster has put this question beyond further controversy. In his speech on Thursday, February 22nd, in the House of Commons, that statesman pronounced this emphatic dictum:—'*The death of Lord Frederick Cavendish marked the first political assassination which has disgraced our annals for the last hundred years.*'"

"With this pronouncement before them we do not see how the Governments of France and the United States can regard the murder of the secretaries as other than a political assassination. If they decide to extradite Messrs. Byrne and Sheridan it must, therefore, be in violation of the principles of International Law."

Then a leading article in the "Irishman" of the 12th of May 1883:—

"Every movement organised against the benevolent laws of this country is supported with Irish-American money, and encouraging speeches are sent flying hither upon the wings of the Press. Millions of dollars have thus been freely subscribed, for no other purpose but to thwart the intentions of Government and keep alive the flame of dissatisfaction and rebellion. Look at the convention held in Philadelphia. What manifold mischief the 'Parliament of the Irish Race in Exile' will work here at home. Our countrymen in America are accumulating vast wealth and consolidating immense force, and for what object? We can hardly venture to name it. The outcome of the convention no man can accurately forecast. It threatens to encompass end (*sic*) of thrilling interest to England. From the union and resolve, and determination of the Gael in the American continent there is no prophesying what may issue. In the hearts of those 15 or 20 millions of men of Irish blood rankles a wound which refuses to be healed. There is no cure for it, they say, with dogged obstinacy, but topsyturvy here and then the retreat of the English garrison with bag and baggage—if mayhap the latter can be saved in the pell-mell confusion of a horrible upheaval and universal crash."

Whether it is written in strong language or not, have you any doubt that would appeal to the advanced section of the Nationalist party?—There is a portion of that article which seems to be an appeal to physical force.

60,407. It was scarcely an appeal to constitutional action, Mr. Parnell?—I should think it would be a very strong article.

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60,408. Now, I call your attention to the next succeeding article, which I venture to think will require your consideration. May 19th, 1883—the “Irishman.”

“The lesson of the young life.”

This is on Brady.

“The lesson of the young life thus early quenched in darkness should not be lost upon our rulers. Brady was not the type of man who becomes a murderer from sheer callousness or base motives. The history of English government in Ireland from long before Mullaghmast down to our own times had taught him that any means were justifiable in dealing with a political enemy. He was convinced that what he did would benefit his country, and he risked his life and has died that his fellow-men might be happier when his body had rotted in the quicklime of a prison grave. Terrible as was the crime, in itself and its consequences it was the act of the brave, self-sacrificing, misguided man. May his soul have found a more favourable judgment before the throne of mercy than was granted him here below.”

That was the murder of Lord Frederick Cavendish?—Yes.

60,409. Do you approve of that article?—No; at the same time I believe there is some truth in portions of that article.

60,410. What is the part that you approve of?—I did not say that I approved of any of the article.

60,411. What is the part you say there is some truth in?—I believe that Brady did not commit the crime out of sordid or mercenary motives.

60,412. There is nothing about sordid or mercenary motives here?—I think you read that.

(*Sir C. Russell.*) Will you read the article again?

60,413. (*The Attorney-General.*) I see no words about sordid or mercenary?—

“Brady was not the type of man who becomes a murderer from sheer callousness or base motives.”

Well, that is the part I refer to.

60,414. We know there are other utterances with regard to Brady. What I put to you is this, assuming that these murders were regarded as an act of war by any section of the advanced party, in your judgment, would not that article appeal to the advanced section to indicate that after all it was an act for the benefit of the country?—I have already stated that it is an article that I do not and could not approve of.

60,415. 19th May 1883, the “Irishman,” leading article:—

“All accounts agree in stating that Joe Brady met his death with more than ordinary firmness and courage. His physique was powerful at the age of 22 years, and he appears to have possessed a fortitude equal to the extraordinary audacity of the deed in the Park. Fear had no place in his heart. It was not the indifference of the nihilist or the pluck of the atheist, who believe that death is annihilation. In his growing years, and in his youthful manhood, he evinced a strong religious disposition, and was regular and constant in his attendance at the Franciscan chapel in Church Street. Carey, it may be urged, was also a devoted Catholic, outwardly at least. But it might also be said that very indifferent Christians, or even agnostics, freethinkers, and persons of no religion would not enter into a murder conspiracy, nor commit a crime of such magnitude as that of assassination. In these matters the human heart remains inscrutable. It is quite clear, at all events, that very different motives actuated Carey and Brady. One was evidently a hypocrite and a cunning coward. The other was was evidently a sincere, lion-hearted enthusiast.”

Do you approve of that article, Mr. Parnell?—No, I do not approve of the article.

60,416. I ask you, do you suggest that that article would not hold up Brady to the extreme physical force party as being a man who had died for his country, instead of being a murderer?—It has that suggestion. The first part of the article in which it describes the previous character and conduct of Brady, if it is true, I see no objection to, but the comparison with Carey seems to me to be open to considerable objection.

60,417. “25th August, 1883. Mr. Field”—Mr. Field was the juror, I think, was he not?—Mr. Field was the juror whose life was attempted.

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60,418.

“ Once more we may refer to the case of Mr. Field for the purpose of repeating our surprise that no one will purchase his establishment in Westmoreland Street. On Saturday the lease of the premises, which are situated in the choicest and dearest portion of Dublin, was put up for auction with the same result—no bidders; no one would offer a shilling for those valuable concerns.” What meaning would be attached by the readers of the “ Irishman ” to such an article as that respecting Mr. Field?—That Mr. Field was held in detestation.

60,419. Why?—Because he had taken part, I suppose, in convicting some of these men.

60,420. As a juror?—As a juror, yes.

60,421. Was this actually after the attempt upon him?—I cannot say indeed.

60,422. Come, look at the date. I am told that the conviction of the persons who had actually attempted to murder Mr. Field happened in the spring of that year. May I ask you, sir, in reference to your own answer given a few moments ago, that that would indicate him as a man to be held up to detestation? Do you think that would be likely to appeal to the physical force or extreme section?—I do not know that it would be likely to appeal to the physical force or extreme section, so-called, but it is a very objectionable article.

60,423. “ The Irishman,” 22nd of September, 1883:—

“ Money will not be wanting for O'Donnell's defence.”

This is an editorial article—this is the man who had shot Carey, you know—

“ The ‘ Irish World ’ collection alone amounts to 5,000 dollars. If the defence needed 100,000 dollars it would be subscribed in a week if necessary. In all parts of the world the Irish would contribute their last shilling to save the life of the man who committed the most popular murder since Talbot was shot in Dublin.”

You know, of course, Mr. Parnell, that whatever may have been his motive, Carey was shot by O'Donnell red-handed, that is to say, O'Donnell was taken red-handed, having shot Carey, beyond any doubt?—Well, if you ask my opinion, I have always thought O'Donnell had a very strong defence against that murder.

60,424. But excuse me—“ who committed the most popular murder since Talbot was shot in Dublin.” The “ Irishman ” paper calls it a murder, you know?—That is so, but you asked me what my opinion was, and I said that I always considered that O'Donnell had a strong defence.

60,425. Whether defence or not, do you pretend to justify that article, Mr. Parnell?—That was not the question you asked me. If you ask me that question, I answer that the article is undoubtedly an objectionable one.

60,426. Have you any doubt, speaking of that as a popular murder, would be to induce the violent men to shoot informers?—I should think it would have a tendency in that direction.

60,427. Did the “ Irishman ” open their columns for the “ O'Donnell Defence Fund ”?—I do not know.

60,428. This is a matter of opinion, but inasmuch as some reference has been made to O'Connell, I will read this from the “ Irishman ” of the 15th December 1883:—

“ It will not be overlooked by Irish readers that Mr. Parnell as a Nationalist is a notable advance upon O'Connell and Butt. In his public speeches we find none of the nauseous loyalty of the ‘ Liberator,’ nor any of the constitutional twaddle of the Home Rule leader.”

I suppose that would appeal particularly to the people who desire constitutional action only?—That was a recommendation which I certainly never asked them to give me, and which I do not agree with.

60,429. (*The President.*) The point of it is that it is at any rate in your paper?—It is a paper of whose existence I think I was scarcely aware at that time, and a paper I had no control over.

60,430. What I mean is you were proprietor of it?—I was a shareholder of the company, and undoubtedly if I had known of the tendency and tone of these articles I should have directed Mr. O'Brien's attention to the matter with a view either to stopping the paper or to getting the tone of the paper altered; but I have never heard of the articles before.

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CHARLES STEWART PARNELL.

[Continued.]

60,431. (*The Attorney-General.*) Just listen to this article. You have spoken this afternoon of the change in the spirit of the "Irishman" after you bought it to suppress the utterances of the wretched man Pigott. A leading article of the 20th December 1883:—

"Another gallows carnival. The holy festival of Christianity is ushered in with a double deed of blood. Whilst Mr. Gladstone has been getting ready, doubtless—for we know he is, above all things, a pious man—to read the Christmas morning services at Hawarden Church, and Earl Spencer prepares to go in state to Saint Werburgh's to join in the pæan of peace and goodwill to men, Binns and his incognito viceroy have been holding high revel almost simultaneously in both the English and Irish capitals. O'Donnell, the man who shot the accursed informer Carey, perished on the scaffold on Monday morning at the Old Bailey, in London. Joseph Poole, who was acknowledged not to have shot Kenny, suspected of being an informer, was hung at Richmond Prison, Dublin, on the following morning. This closes the list of authorised strangulations for this year. There are no more possible just now. Twenty-two victims in Ireland for political or semi-political offences have perished on the gallows since Earl Spencer commenced his reign of gentleness combined with firmness. O'Donnell's taking off in England may be added to the list without any gross violation of historical cohesion."

Does that occur to you as being an article which would appeal to constitutional action?—That is an article undoubtedly of a very objectionable character. I think the reference to Poole is justified. I have always held that Poole was absolutely innocent of that murder. I believe so.

60,432. "The Irishman" of the 22nd December 1883. The same paper:—

"O'Donnell was hanged in London on Monday, and on the following day Joe Poole was strangled in Dublin. In both capitals Ireland's no-surrender platform was sustained with firmness, pluck, courage, and defiance. The fight against England is carried on in all parts of the world; sometimes it is brought home to the doors of the British Cabinet. O'Donnell was hanged in the centre of the British Babylon, a circumstance which must give English statesmen a lively sense of the Anglo-Irish war. When O'Donnell was sentenced he shouted, 'To hell with England, down with the bloody British Government,' and uttered at the highest pitch of his voice other shibboleths which made it clear that the war to the death struggle between Ireland and Great Britain is in full blast. The genteel dastards who spend their frothy stuff in the anti-Irish press, sought to baffle the effect of O'Donnell's exclamations by imputing his shouts to bad temper, ignorance, and vexation. In the hurry of a few moments' opportunity, the ablest and most educated man could do no more than hurl contempt at his country's enemies in one or two war-cries. This O'Donnell died after shooting a vile Irishman whom the English abhorred, while they were using him to hang his fellow-countryman."

"That O'Donnell died like a man there is no doubt. We are proud of his firmness and fortitude in walking to the scaffold without faintness or faltering. Indeed, it is the general character of Irishmen to fall into the hands of the English enemy. They face death with pluck and a manly indifference to the mere shock which ends their days. This is how they ought to meet their fate; and, as many more must climb the gallows-steps before the feud is ended, we hope that none of them will ever march weak-kneed to the scaffold."

"Poole's dying speech was delivered in the dock in Green Street. He there proclaimed his principles. He was a Fenian. He was proud of it, and had no reason to regret that he was a sworn foe to British rule in Ireland. As he spoke and felt, so he died—a sworn enemy of foreign despotism."

Do you approve of that article, Mr. Parnell?—No. The observation that I have already made with reference to the other articles holds good with regard to that.

60,433 Have you any doubt that that would be regarded as a palpable and agreeable article by the physical force section of the readers of the "Irishman"?—By a certain class of them it would undoubtedly.

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CHARLES STEWART PARNELL.

[Continued.]

60,434. A stimulus to their conduct—the worst of them?—A stimulus to certain sections of them it might be, and probably would be.

60,435. “The ‘Irishman,’ 26th January 1884:—

“A deep fear of Irish-American dynamiters has taken hold of the English mind . . . All the apprehension has been caused by information received from America that the ‘Irish World’ fund is running high, and that some of it has already been expended in London. The Home Office is in a flutter. In the coming session of Parliament the members of the Government, and others, too, are likely to feel very uncomfortable in their seats.”

That does not occur to you to be what I may call repudiation of the dynamite theory in the columns of the ‘Irishman,’ does it?—Certainly not.

60,436. 15th March 1884:—

“Between England and Ireland is one unbroken round of revenge and retaliation. The telegrams tell us that there is in Paris a brother of Joe Brady and a son of O’Donovan Rossa. Both are engaged in the dynamite business; one to get satisfaction for the death of his brother, the other to pay off England for her cruel treatment of his father while in prison. In this announcement from Paris there is a whole history. The English will not, it seems, be permitted to enjoy that last execution.”

Does that appear to you to be a repudiation of the dynamite policy?—No, apparently not.

60,437. The ‘Irishman’ 22nd of March 1884:

“We know what instruments England has employed in repressing us. We know how she never scrupled to murder and assassinate that she might rob, despoil, and conquer. . . . Against such a foe any weapons are lawful.”

Do you approve of that, Mr. Parnell?—No.

60,438. The ‘Irishman,’ 29th of March 1884:—

“St. Patrick’s Day in Paris. Physical Forces—The First toast of the evening.”—

(*Sir C. Russell.*) What is that?

60,439. (*The Attorney-General.*) It is an article. When I say it is an article, it is an original report. I beg your pardon. It may be taken from the Paris paper, but it is in the ‘Irishman.’

“The first toast of the evening, ‘Ireland’s heroes—Living and Dead,’ was responded to by Mr. Patrick Casey, of Paris.”

the gentleman to whom you referred, I think—did you know Mr. Patrick Casey?—No, I never met him. I knew a Mr. Patrick Casey by report.

60,440. Was he not the man who you said edited ‘United Ireland’?—That was Mr. Eugene Davis.

60,441. I confused the two. What did you know of Patrick Casey?—I have heard of him as being an Irishman resident in Paris, who was supposed to belong to those advanced sections; which section it was impossible to say.

60,442. Was he a member of the Land League?—Not that I know of. No; I believe he was always an opponent of the Land League.

60,443. [*Continuing to read*]:

“Was responded to by Mr. Patrick Casey of Paris, who glorified latter-day Irishmen who died fighting against England. Mr. Casey proclaimed himself an apostle of physical force and an advocate of dynamite in the struggle against England. He ridiculed the inconsistency of English pressmen, who ranked the comparatively harmless explosion at Victoria Station amongst the most heinous crimes, while almost at the same time they chuckled with wild delight at the massacre of thousands of Arabs by their own countrymen.”

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CHARLES STEWART PARNELL.

[Continued.]

“ The Irish Republic. A representative of the Hon. John F. Finerty, members (*sic*) of Congress, one of the dynamite leaders in the States, stated that the vast majority of the Old Guard in America were now running the dynamite ticket. The toast of ‘The Irish Republic’ was responded to by Mr. William Kirwan, who predicted that England would be so terrorised by Irish extremists that she would be so compelled to cut the cable which bound both countries under one executive. Mr. Kirwan’s remarks were received with great applause. Mr. Joseph Casey, on being called upon to respond to the toast of ‘The Irish in France,’ laid great stress on the fact that the Irish in Paris were nearly all revolutionists of the real Radical type. Several other speeches were delivered.”

Adjourned till to-morrow at 10.30.

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[Continued.]

RETURN by Provinces and Counties (compiled from Returns made by the Inspector-General Royal Irish Constabulary) of Cases of Evictions in each of the Years 1849 to 1886 inclusive & of Agrarian & General Crime.

RETURN of the Number of EVICTIONS throughout IRELAND in each of the Years 1849 to 1886, inclusive.

Year.	Percentage of Agrarian Crime to General Crime.	Summary of Agrarian Crime.	Summary of Crime of all Kinds.	Evicted.		Re-admitted.*		Re-admitted as Care-takers.	
				Families.	Persons.	Families	Persons.	Families.	Persons.
1846	10½	1,303	12,374						
1847	3	620	20,986						
1848	5¾	795	14,080						
1849	6½	957	14,708	16,686	90,440	3,302	18,375		
1850	12¾	1,362	10,639	19,949	104,163	5,403	30,292		
1851	11¾	1,013	9,144	13,197	68,023	4,382	24,574		
1852	11¾	913	7,824	8,591	43,494	2,041	11,334		
1853	8¾	469	5,452	4,833	24,589	1,213	6,721		
1854	7	334	4,652	2,156	10,794	331	1,805		
1855	6	255	4,201	1,849	9,338	535	2,841		
1856	6¾	287	4,125	1,108	5,114	230	1,166		
1857	4¾	194	4,032	1,161	5,475	242	1,252		
1858	6¾	235	3,492	957	4,643	237	1,211		
1859	6	221	3,618	837	3,872	346	1,564		
1860	6¾	232	3,531	636	2,985	65	274		
1861	6½	229	3,881	1,092	5,288	274	1,324		
1862	8¼	363	4,401	1,136	5,617	243	1,218		
1863	9½	349	3,832	1,734	8,695	183	812		
1864	10¼	304	2,968	1,924	9,201	276	1,312		
1865	6	178	2,604	942	4,513	183	856		
1866	4½	87	1,964	795	3,571	185	862		
1867	4¾	123	2,021	549	2,489	90	411		
1868	6¼	160	2,548	637	3,002	122	543		
1869	24¼	767	3,153	374	1,741	63	313		
1870	30½	1,329	4,351	548	2,616	104	527		
1871	12¾	373	2,897	482	2,357	114	535		
1872	7¾	256	3,338	526	2,476	118	537		
1873	11	254	2,275	671	3,078	152	709		
1874	10	213	2,096	726	3,571	200	997		
1875	6¾	136	2,001	667	3,323	71	387		
1876	10¾	212	2,048	553	2,550	85	383		
1877	10¼	236	2,303	463	2,177	57	277		
1878	11¾	301	2,524	980	4,679	146	763		
1879	24½	863	3,505	1,238	6,239	140	663		
1880	45½	2,590	5,676	2,110	10,457	217	1,021		
1881	58	4,439	7,788	3,415	17,341	194	1,085	1,691	8,977
1882	54½	3,432	6,268	5,201	26,836	198	833	2,331	12,338
1883	34¼	870	2,535	3,643	17,855	226	1,069	1,407	6,992
1884	31	762	2,453	†3,978	20,025	223	1,030	1,760	8,974
1885	35¼	944	2,683	3,127	15,423	120	558	1,540	8,056
1886	32½	1,056	3,251	3,781	19,503	181	992	2,065	10,958
				113,252	577,553	22,482	121,426	11,394	56,295
					113,679		4588		

* The re-admissions shown in the years 1870 to 1880 refer exclusively to persons re-admitted as tenants in the years preceding 1870. The Records of the Constabulary Department upon which this Return was compiled do not indicate whether the persons re-admitted were re-admitted as Caretakers or tenants. There is a note however in the Record of the year 1849 to the effect that the majority of the re-admissions in that year were as Caretakers only.

† See Note on page

2 May 1889.]

[Continued.

PROVINCE OF ULSTER.

RETURN of the Number of EVICTIONS in each of the Years 1849 to 1886 (inclusive).

Agrarian Crime.	Year.	Evicted.		Re-admitted.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
	1849	1,893	9,820	359	2,014		
	1850	1,961	9,845	386	2,042		
	1851	1,140	5,700	319	1,656		
	1852	770	3,792	127	681		
	1853	454	2,154	75	386		
	1854	226	1,045	28	135		
	1855	174	821	55	217		
	1856	146	704	60	306		
	1857	139	660	49	248		
	1858	132	603	19	84		
	1859	112	524	30	145		
	1860	125	574	6	27		
	1861	200	953	27	117		
	1862	149	769	22	96		
	1863	329	1,569	25	110		
	1864	325	1,600	24	127		
	1865	291	1,373	62	317		
	1866	153	693	34	176		
	1867	91	429	14	58		
	1868	156	706	4	21		
	1869	81	366	8	28		
	1870	109	491	9	46		
	1871	91	462	18	69		
	1872	139	653	43	195		
	1873	129	550	30	137		
	1874	196	937	63	310		
	1875	106	484	20	96		
	1876	164	741	27	109		
52	1877	68	326	8	46		
57	1878	88	375	5	14		
109	1879	172	837	7	31		
259	1880	497	2,401	52	237		
414	1881	1,219	5,686	61	322	*752	3,687
319	1882	1,176	5,474	46	193	553	2,732
89	1883	689	2,949	70	290	267	1,178
76	1884	1,044	4,400	38	150	529	2,491
67	1885	833	3,573	20	91	500	2,355
88	1886	780	3,588	16	77	536	2,631
		16,547	78,627	2,266	11,404	3,127	15,074

* See Note on page

2 May 1889.]

[Continued.]

PROVINCE OF LEINSTER.

RETURN of the Number of EVICTIONS in each of the years 1849 to 1886 inclusive.

Agrarian Crimes.	Year.	Evicted.		Re-admitted.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
	1849	3,353	17,922	799	4,330		
	1850	4,015	20,968	1,179	6,444		
	1851	3,192	15,961	988	5,266		
	1852	1,827	8,891	392	1,954		
	1853	1,354	6,660	394	2,135		
	1854	534	2,606	91	471		
	1855	420	2,082	58	289		
	1856	251	1,140	28	154		
	1857	468	2,030	80	408		
	1858	273	1,306	66	362		
	1859	133	626	27	138		
	1860	162	771	17	93		
	1861	250	1,184	34	149		
	1862	301	1,478	45	232		
	1863	427	1,975	74	286		
	1864	390	1,868	96	430		
	1865	232	1,040	47	202		
	1866	220	97	59	235		
	1867	131	590	14	57		
	1868	137	635	43	185		
	1869	129	546	25	113		
	1870	163	766	38	173		
	1871	101	442	19	90		
	1872	113	519	59	284		
	1873	131	583	12	50		
	1874	107	495	10	45		
	1875	124	546	7	35		
	1876	151	663	40	170		
43	1877	160	630	24	104		
86	1878	275	1,235	59	322		
147	1879	354	1,589	49	231		
351	1880	484	2,195	65	269		
833	1881	692	3,312	37	167	251	1,273
732	1882	1,091	5,045	82	302	408	1,954
184	1883	666	2,806	65	333	246	1,087
140	1884	619	2,567	41	154	203	1,108
156	1885	435	1,878	35	153	179	876
114	1886	494	2,175	23	120	267	1,267
		24,359	118,429	5,221	26,925	1,581	7,565

2 May 1889.]

[Continued.

PROVINCE OF CONNAUGHT.

RETURN of the Number of EVICTIONS in each of the Years 1849 to 1886 (inclusive).

Agrarian Crime.	Year.	Evicted.		Re-admitted.		Re admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
	1849	4,153	21,656	1,026	5,514		
	1850	5,016	25,404	1,288	7,327		
	1851	3,855	19,910	1,371	7,706		
	1852	2,927	14,815	590	3,470		
	1853	1,877	9,667	490	2,699		
	1854	763	3,814	120	594		
	1855	896	4,625	297	1,716		
	1856	399	1,832	51	261		
	1857	335	1,706	61	353		
	1858	367	1,826	80	435		
	1859	374	1,694	207	882		
	1860	165	772	5	22		
	1861	274	1,350	96	461		
	1862	381	1,798	105	105		
	1863	528	2,803	19	95		
	1864	692	3,259	78	376		
	1865	236	1,205	14	80		
	1866	209	960	37	194		
	1867	219	923	34	161		
	1868	194	941	7	39		
	1869	86	418	14	89		
	1870	139	677	24	136		
	1871	184	907	60	284		
	1872	173	806	8	39		
	1873	203	884	64	282		
	1874	246	1,197	77	425		
	1875	276	1,382	19	98		
	1876	104	528	3	24		
94	1877	118	608	16	77		
84	1878	365	1,815	37	231		
471	1879	313	1,552	45	217		
961	1880	387	1,986	22	97		
1,235	1881	784	4,378	17	102	380	2,205
881	1882	1,457	7,967	27	148	767	4,421
151	1883	981	5,028	26	137	407	2,195
117	1884	1,246	6,171	27	125	452	2,458
153	1885	899	4,513	28	126	361	1,950
222	1886	1,238	6,614	28	169	648	3,644
		33,059	168,391	6,518	35,726	3,015	16,873

2 May 1889.]

[Continued.]

PROVINCE OF MUNSTER.

RETURN of the Number of EVICTIONS in each of the Years 1849 to 1886 (inclusive).

Agrarian Crime.	Year.	Evicted.		Re-admitted.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
	1849	7,287	41,042	1,118	6,517		
	1850	8,957	47,966	2,550	14,479		
	1851	5,010	26,772	1,704	9,946		
	1852	3,067	15,996	932	5,229		
	1853	1,148	6,108	254	1,501		
	1854	633	3,329	92	605		
	1855	359	1,810	115	619		
	1856	312	1,438	91	445		
	1857	219	1,079	52	243		
	1858	185	908	72	330		
	1859	218	1,028	82	399		
	1860	184	868	37	132		
	1861	368	1,801	117	597		
	1862	305	1,572	71	355		
	1863	450	2,348	65	321		
	1864	517	2,474	78	379		
	1865	183	895	60	257		
	1866	213	944	55	257		
	1867	108	547	28	135		
	1868	150	720	68	298		
	1869	78	411	16	83		
	1870	137	682	33	172		
	1871	106	546	17	92		
	1872	101	498	8	19		
	1873	208	1,061	46	240		
	1874	177	942	50	217		
	1875	167	911	25	158		
	1876	134	618	15	80		
45	1877	117	613	9	50		
74	1878	252	1,254	45	196		
123	1879	399	2,261	39	184		
1,019	1880	742	4,075	78	418		
1,957	1881	720	3,965	79	494	308	1,812
1,500	1882	1,477	8,350	43	190	603	3,231
446	1883	1,307	7,072	65	309	487	2,532
429	1884	1,279	6,887	117	601	549	2,917
568	1885	960	5,459	37	188	500	2,875
631	1886	1,269	7,126	114	626	614	3,416
		39,397	212,306	8,477	47,361	3,061	16,783

2 May 1889.]

[Continued.

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1849.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - -	186	1,018	34	203
Belfast - - -	-	-	-	-
Armagh - - -	269	1,239	55	311
Cavan - - -	398	2,184	87	542
Donegal - - -	267	1,364	49	179
Down - - -	114	631	34	222
Fermanagh - - -	37	209	1	5
Londonderry - - -	65	328	12	65
Monaghan - - -	464	2,303	69	389
Tyrone - - -	93	544	18	98
Total for Ulster -	1,893	9,820	359	2,014
LEINSTER.				
Carlow - - -	75	441	13	68
Dublin - - -	13	75	1	4
Kildare - - -	114	574	15	97
Kilkenny - - -	415	2,505	39	246
King's - - -	619	3,255	123	631
Longford - - -	310	1,537	106	592
Louth - - -	153	699	13	64
Meath - - -	346	1,968	157	824
Queen's - - -	592	3,171	227	1,220
Westmeath - - -	238	1,191	227	1,220
Wexford - - -	278	1,628	42	248
Wicklow - - -	200	878	20	138
Total for Leinster -	3,353	17,922	799	4,330
CONNAUGHT.				
Galway East Riding -	406	2,089	64	373
Galway West Riding -	802	4,002	89	407
Leitrim - - -	835	4,389	253	1,350
Mayo - - -	1,115	6,006	420	2,357
Rosecommon - - -	703	3,643	94	517
Sligo - - -	292	1,527	106	510
Total for Connaught -	4,153	21,656	1,026	5,514
MUNSTER.				
Clare - - -	1,638	8,989	208	1,224
Cork, East Riding -	480	2,589	127	651
Cork, West Riding -	295	1,577	88	577
Kerry - - -	804	4,686	99	746
Limerick - - -	1,130	6,230	120	689
Tipperary North Riding -	1,762	9,802	275	1,381
Tipperary South Riding -	991	5,941	161	994
Waterford - - -	187	1,228	40	225
Total for Munster -	7,287	41,042	1,118	6,517
Total for Ireland -	16,686	90,440	3,302	18,375

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1850.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - -	226	1,081	29	147
Belfast - - -	-	-	-	-
Armagh - - -	218	1,198	72	365
Cavan - - -	487	2,366	116	666
Donegal - - -	210	1,090	30	141
Down - - -	295	1,471	78	429
Fermanagh - - -	118	602	32	151
Londonderry - - -	56	302	9	49
Monaghan - - -	175	844	12	51
Tyrone - - -	176	891	8	43
Total for Ulster -	1,961	9,845	386	2,042
LEINSTER.				
Carlow - - -	252	1,280	58	320
Dublin - - -	57	266	11	50
Kildare - - -	144	804	66	343
Kilkenny - - -	599	3,287	158	920
King's - - -	652	3,346	270	1,516
Longford - - -	250	1,239	49	199
Louth - - -	156	772	36	163
Meath - - -	449	2,113	175	860
Queen's - - -	360	1,912	68	384
Westmeath - - -	469	2,517	126	803
Wexford - - -	419	2,309	106	541
Wicklow - - -	208	1,123	56	345
Total for Leinster -	4,015	20,968	1,179	6,444
CONNAUGHT.				
Galway East Riding -	447	2,012	130	696
Galway West Riding -	1,107	5,672	329	1,850
Leitrim - - -	678	3,453	191	1,046
Mayo - - -	1,755	8,699	367	2,089
Rosecommon - - -	638	3,336	147	904
Sligo - - -	391	2,232	124	742
Total for Connaught -	5,016	25,404	1,288	7,327
MUNSTER.				
Clare - - -	1,860	9,469	284	1,631
Cork, East Riding -	1,147	5,707	563	2,963
Cork, West Riding -	290	1,631	168	1,035
Kerry - - -	1,054	5,568	426	2,114
Limerick - - -	1,502	8,315	402	2,288
Tipperary North Riding -	1,605	8,816	415	2,569
Tipperary South Riding -	1,212	6,971	245	1,644
Waterford - - -	287	1,469	47	235
Total for Munster -	8,957	47,946	2,550	14,479
Total for Ireland -	19,949	104,163	5,403	30,292

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[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1851.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	83	396	14	78
Belfast - - - -	—	—	—	—
Armagh - - - -	73	384	24	138
Cavan - - - -	164	792	43	214
Donegal - - - -	227	1,155	19	93
Down - - - -	201	1,003	75	358
Fermanagh - - -	68	337	56	283
Londonderry - -	155	753	38	213
Monaghan - - -	62	300	12	84
Tyrone - - - -	107	580	38	195
Total for Ulster -	1,140	5,700	319	1,656
LEINSTER.				
Carlow - - - -	117	571	22	129
Dublin - - - -	70	339	17	87
Kildare - - - -	113	602	42	223
Kilkenny - - - -	664	2,806	209	1,008
King's - - - -	490	2,659	189	1,077
Longford - - - -	217	1,101	60	334
Louth - - - -	167	687	58	282
Meath - - - -	430	2,167	116	618
Queen's - - - -	337	1,713	94	514
Westmeath - - -	227	1,150	64	408
Wexford - - - -	293	1,458	85	428
Wicklow - - - -	67	338	32	158
Total for Leinster -	3,192	15,691	988	5,266
CONNAUGHT.				
Galway East Riding -	321	1,734	104	521
Galway West Riding -	1,034	5,172	327	1,838
Leitrim - - - -	309	1,646	108	619
Mayo - - - -	1,408	7,387	551	3,196
Roscommon - - -	668	3,406	234	1,282
Sligo - - - -	115	565	47	250
Total for Connaught -	3,855	19,910	1,371	7,706
MUNSTER.				
Clare - - - -	641	3,024	120	579
Cork East Riding -	464	2,650	159	974
Cork West Riding -	68	424	38	230
Kerry - - - -	1,445	7,988	732	4,326
Limerick - - - -	717	3,461	164	942
Tipperary North Riding -	706	3,933	233	1,391
Tipperary South Riding -	799	4,427	242	1,421
Waterford - - -	170	815	16	83
Total for Munster -	5,010	26,722	1,704	9,946
Total for Ireland -	13,197	68,023	4,382	24,574

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1852.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	114	569	12	57
Belfast - - - -	—	—	—	—
Armagh - - - -	58	301	2	10
Cavan - - - -	74	396	11	73
Donegal - - - -	131	638	25	136
Down - - - -	184	896	47	251
Fermanagh - - -	40	192	2	12
Londonderry - -	15	75	2	5
Monaghan - - -	108	517	23	123
Tyrone - - - -	46	208	3	14
Total for Ulster -	770	3,792	127	681
LEINSTER.				
Carlow - - - -	91	465	21	111
Dublin - - - -	32	161	8	40
Kildare - - - -	40	191	3	13
Kilkenny - - - -	159	822	43	228
King's - - - -	185	904	22	112
Longford - - - -	218	1,018	1	5
Louth - - - -	157	724	67	292
Meath - - - -	148	667	16	77
Queen's - - - -	250	1,216	91	453
Westmeath - - -	131	664	24	126
Wexford - - - -	277	1,361	76	394
Wicklow - - - -	139	698	20	103
Total for Leinster -	1,829	8,891	392	1,954
CONNAUGHT.				
Galway, East Riding -	146	683	27	176
Galway, West Riding -	759	4,058	174	1,177
Leitrim - - - -	213	1,122	77	406
Mayo - - - -	1,329	6,684	208	1,230
Rosecommon - - -	390	1,888	73	357
Sligo - - - -	90	380	31	124
Total for Connaught -	2,927	14,815	590	3,470
MUNSTER.				
Clare - - - -	586	2,871	120	592
Cork East Riding -	552	2,932	234	1,242
Cork West Riding -	64	410	9	54
Kerry - - - -	295	1,576	73	444
Limerick - - - -	327	1,648	79	404
Tipperary North Riding -	466	2,633	182	1,155
Tipperary South Riding -	571	2,918	178	1,021
Waterford - - -	206	1,008	57	317
Total for Munster -	3,067	15,996	932	5,229
Total for Ireland -	8,591	43,494	2,941	11,334

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1853.					RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1854.				
Province and County.	Evicted.		Re-admitted.		Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.		Families.	Persons.	Families.	Persons.
ULSTER.					ULSTER.				
Antrim - - - -	44	243	3	17	Antrim - - - -	26	123	2	9
Belfast - - - -	—	—	—	—	Belfast - - - -	—	—	—	—
Armagh - - - -	47	208	4	22	Armagh - - - -	15	74	4	21
Cavan - - - -	41	180	2	5	Cavan - - - -	23	110	4	15
Donegal - - - -	45	265	9	52	Donegal - - - -	25	122	—	—
Down - - - -	122	540	31	160	Down - - - -	103	456	14	76
Fermanagh - - -	39	197	23	118	Fermanagh - - -	5	22	—	—
Londonderry - -	7	32	1	1	Londonderry - -	7	33	2	4
Monaghan - - -	93	405	2	11	Monaghan - - -	14	66	2	10
Tyrone - - - -	16	84	—	—	Tyrone - - - -	8	39	—	—
Total for Ulster -	454	2,154	75	386	Total for Ulster -	226	1,045	28	135
LEINSTER.					LEINSTER.				
Carlow - - - -	134	635	62	338	Carlow - - - -	32	153	14	65
Dublin - - - -	53	281	—	—	Dublin - - - -	16	79	1	3
Kildare - - - -	74	354	16	96	Kildare - - - -	33	139	2	16
Kilkenny - - - -	133	655	33	128	Kilkenny - - - -	49	230	7	20
King's - - - -	143	746	59	340	King's - - - -	54	280	22	123
Longford - - - -	31	145	—	—	Longford - - - -	5	28	4	19
Lough - - - -	175	852	91	494	Lough - - - -	75	353	27	140
Meath - - - -	199	955	13	69	Meath - - - -	100	483	1	5
Queen's - - - -	90	381	31	153	Queen's - - - -	37	188	2	7
Westmeath - - -	123	668	53	312	Westmeath - - -	22	105	—	—
Wexford - - - -	172	853	34	195	Wexford - - - -	89	425	7	40
Wicklow - - - -	27	135	2	10	Wicklow - - - -	22	143	4	33
Total for Leinster -	1,354	6,660	394	2,135	Total for Leinster -	534	2,606	91	471
CONNAUGHT.					CONNAUGHT.				
Galway East Riding -	267	1,295	126	640	Galway East Riding -	33	155	5	11
Galway West Riding -	288	1,412	8	49	Galway West Riding -	133	592	31	141
Leitrim - - - -	117	603	56	292	Leitrim - - - -	48	250	3	10
Mayo - - - -	1,017	5,369	232	1,310	Mayo - - - -	474	2,441	71	369
Roscommon - - -	117	602	8	61	Roscommon - - -	74	368	10	63
Sligo - - - -	71	386	60	347	Sligo - - - -	2	8	—	—
Total for Connaught -	1,877	9,667	490	2,699	Total for Connaught -	763	3,814	120	594
MUNSTER.					MUNSTER.				
Clare - - - -	39	204	2	12	Clare - - - -	31	136	6	24
Cork East Riding -	106	636	21	124	Cork East Riding -	98	490	15	89
Cork West Riding -	44	254	9	70	Cork West Riding -	14	53	—	—
Kerry - - - -	279	1,427	51	312	Kerry - - - -	134	749	13	139
Limerick - - - -	132	767	60	376	Limerick - - - -	52	246	8	53
Tipperary North Riding -	270	1,408	95	492	Tipperary North Riding -	168	1,034	31	194
Tipperary South Riding -	197	992	13	81	Tipperary South Riding -	105	475	18	101
Waterford - - -	81	420	3	34	Waterford - - -	31	146	1	5
Total for Munster -	1,148	6,108	254	1,501	Total for Munster -	633	3,329	92	605
Total for Ireland -	4,833	24,589	1,213	6,721	Total for Ireland -	2,156	10,794	331	1,805

2 May 1889.]

[Continued.]

RETURN of the Number of EVICTIONS throughout
IRELAND in the Year 1855.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	3	16	—	—
Belfast - - - - -	—	—	—	—
Armagh - - - - -	43	204	18	32
Cavan - - - - -	34	143	19	94
Donegal - - - - -	28	123	1	3
Down - - - - -	23	107	1	6
Fermanagh - - - - -	3	20	—	—
Londonderry - - - - -	10	67	5	34
Monaghan - - - - -	15	79	1	4
Tyrone - - - - -	15	62	10	44
Total for Ulster - - -	174	821	55	217
LEINSTER.				
Carlow - - - - -	53	273	18	97
Dublin - - - - -	26	104	10	50
Kildare - - - - -	22	83	6	23
Kilkenny - - - - -	15	75	2	13
King's - - - - -	33	162	4	17
Longford - - - - -	41	193	2	11
Louth - - - - -	21	28	2	8
Meath - - - - -	40	183	—	—
Queen's - - - - -	75	393	5	31
Westmeath - - - - -	13	71	1	6
Wexford - - - - -	54	284	5	16
Wicklow - - - - -	27	163	3	17
Total for Leinster - - -	420	2,082	58	289
CONNAUGHT.				
Galway East Riding - -	78	337	5	20
Galway West Riding - -	185	930	6	33
Leitrim - - - - -	44	213	13	69
Mayo - - - - -	516	2,807	273	1,594
Roscommon - - - - -	56	245	—	—
Sligo - - - - -	17	93	—	—
Total for Connaught - -	896	4,625	297	1,716
MUNSTER.				
Clare - - - - -	39	177	5	28
Cork East Riding - - -	14	78	—	—
Cork West Riding - - -	—	—	—	—
Kerry - - - - -	52	274	—	—
Limerick - - - - -	89	412	20	84
Tipperary North Riding -	118	638	82	465
Tipperary South Riding -	40	205	7	37
Waterford - - - - -	7	26	1	5
Total for Munster - - -	359	1,810	115	619
Total for Ireland - - -	1,849	9,338	525	2,841

RETURN of the Number of EVICTIONS throughout
IRELAND in the Year 1856.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	13	58	1	8
Belfast - - - - -	—	—	—	—
Armagh - - - - -	15	69	3	25
Cavan - - - - -	62	304	48	233
Donegal - - - - -	10	53	—	—
Down - - - - -	30	135	8	40
Fermanagh - - - - -	3	17	—	—
Londonderry - - - - -	1	8	—	—
Monaghan - - - - -	8	44	—	—
Tyrone - - - - -	4	16	—	—
Total for Ulster - - -	146	704	60	306
LEINSTER.				
Carlow - - - - -	—	—	—	—
Dublin - - - - -	22	81	6	36
Kildare - - - - -	4	29	—	—
Kilkenny - - - - -	30	177	2	16
King's - - - - -	12	26	3	7
Longford - - - - -	12	47	7	26
Louth - - - - -	26	108	8	59
Meath - - - - -	38	182	1	2
Queen's - - - - -	12	61	—	—
Westmeath - - - - -	18	60	—	—
Wexford - - - - -	27	132	1	8
Wicklow - - - - -	50	237	—	—
Total for Leinster - - -	251	1,140	28	154
CONNAUGHT.				
Galway East Riding - -	53	262	5	21
Galway West Riding - -	87	378	31	137
Leitrim - - - - -	27	95	1	4
Mayo - - - - -	164	794	14	99
Roscommon - - - - -	43	222	—	—
Sligo - - - - -	25	81	—	—
Total for Connaught - -	399	1,832	51	261
MUNSTER.				
Clare - - - - -	41	213	11	82
Cork East Riding - - -	27	137	6	24
Cork West Riding - - -	12	50	5	23
Kerry - - - - -	68	282	6	29
Limerick - - - - -	40	176	17	79
Tipperary North Riding -	51	251	4	15
Tipperary South Riding -	68	312	42	193
Waterford - - - - -	5	17	—	—
Total for Munster - - -	312	1,438	91	445
Total for Ireland - - -	1,108	5,114	230	1,166

2 May 1889.]

[Continued.

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1857.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	15	60	—	—
Belfast - - - -	—	—	—	—
Armagh - - - -	17	74	6	22
Cavan - - - -	67	339	33	179
Donegal - - - -	9	53	1	5
Down - - - -	20	80	5	22
Fermanagh - - - -	—	—	—	—
Londonderry - - - -	4	20	3	14
Monaghan - - - -	6	33	1	6
Tyrone - - - -	1	1	—	—
Total for Ulster - -	139	660	49	248
LEINSTER.				
Carlow - - - -	1	6	—	—
Dublin - - - -	8	37	—	—
Kildare - - - -	7	28	4	16
Kilkenny - - - -	14	55	8	29
King's - - - -	265	1,203	23	138
Longford - - - -	24	132	—	—
Louth - - - -	14	49	—	—
Meath - - - -	21	89	5	17
Queen's - - - -	16	78	10	54
Westmeath - - - -	53	137	2	8
Wexford - - - -	8	32	—	—
Wicklow - - - -	37	184	23	146
Total for Leinster - -	468	2,030	80	408
CONNAUGHT.				
Galway East Riding - -	25	133	4	23
Galway West Riding - -	38	169	—	—
Leitrim - - - -	59	264	10	62
Mayo - - - -	67	318	2	6
Rosecommon - - - -	89	480	1	9
Sligo - - - -	57	342	44	253
Total for Connaught - -	335	1,706	61	353
MUNSTER.				
Clare - - - -	15	75	1	6
Cork East Riding - -	70	308	35	141
Cork West Riding - -	—	—	—	—
Kerry - - - -	76	375	10	51
Limerick - - - -	22	113	—	—
Tipperary North Riding - -	26	147	6	45
Tipperary South Riding - -	4	21	—	—
Waterford - - - -	6	40	—	—
Total for Mnnster - -	219	1,079	52	243
Total for Ireland - -	1,161	5,475	242	1,252

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1858.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	11	52	—	—
Belfast - - - -	—	—	—	—
Armagh - - - -	7	28	—	—
Cavan - - - -	31	146	10	45
Donegal - - - -	18	84	—	—
Down - - - -	15	59	3	10
Fermanagh - - - -	17	71	2	8
Londonderry - - - -	—	—	—	—
Monaghan - - - -	7	43	4	21
Tyrone - - - -	26	120	—	—
Total for Ulster - -	132	603	19	84
LEINSTER.				
Carlow - - - -	4	19	—	—
Dublin - - - -	6	22	—	—
Kildare - - - -	41	219	21	137
Kilkenny - - - -	18	81	1	5
King's - - - -	46	259	8	45
Longford - - - -	31	142	20	98
Louth - - - -	35	153	2	5
Meath - - - -	25	122	1	1
Queen's - - - -	15	57	1	5
Westmeath - - - -	16	75	—	—
Wexford - - - -	24	111	8	52
Wicklow - - - -	12	46	4	14
Total for Leinster - -	273	1,306	66	362
CONNAUGHT.				
Galway East Riding - -	31	152	1	9
Galway West Riding - -	69	367	17	109
Leitrim - - - -	66	337	35	176
Mayo - - - -	178	885	26	135
Rosecommon - - - -	5	19	—	—
Sligo - - - -	18	66	1	6
Total for Connaught - -	367	1,826	80	435
MUNSTER.				
Clare - - - -	9	46	—	—
Cork East Riding - -	21	99	6	22
Cork West Riding - -	2	11	2	11
Kerry - - - -	14	88	6	32
Limerick - - - -	39	174	11	36
Tipperary North Riding - -	22	115	—	—
Tipperary South Riding - -	66	305	47	229
Waterford - - - -	12	70	—	—
Total for Munster - -	185	908	72	330
Total for Ireland - -	957	4,643	237	1,211

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1859.					RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1860.				
Province and County.	Evicted.		Re-admitted.		Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.		Families.	Persons.	Families.	Persons.
ULSTER.					ULSTER.				
Antrim - - - -	4	18	—	—	Antrim - - - -	9	34	—	—
Belfast - - - -	—	—	—	—	Belfast - - - -	—	—	—	—
Armagh - - - -	11	40	—	—	Armagh - - - -	9	34	—	—
Cavan - - - -	26	136	24	125	Cavan - - - -	18	92	1	2
Donegal - - - -	14	49	5	16	Donegal - - - -	66	323	4	22
Down - - - -	25	107	—	—	Down - - - -	13	41	1	3
Fermanagh - - -	6	22	—	—	Fermanagh - - -	6	28	—	—
Londonderry - -	3	19	—	—	Londonderry - -	3	17	—	—
Monaghan - - -	10	62	—	—	Monaghan - - -	—	—	—	—
Tyrone - - - -	13	71	1	4	Tyrone - - - -	1	5	—	—
Total for Ulster -	112	524	30	145	Total for Ulster -	125	574	6	27
LEINSTER.					LEINSTER.				
Carlow - - - -	—	—	—	—	Carlow - - - -	3	21	1	10
Dublin - - - -	1	2	—	—	Dublin - - - -	6	27	—	—
Kildare - - - -	—	—	—	—	Kildare - - - -	2	13	—	—
Kilkenny - - - -	18	86	—	—	Kilkenny - - - -	11	49	—	—
King's - - - -	6	36	—	—	King's - - - -	31	147	—	—
Longford - - - -	4	25	—	—	Longford - - - -	7	37	—	—
Louth - - - -	8	40	6	33	Louth - - - -	13	73	1	1
Meath - - - -	26	126	—	—	Meath - - - -	34	126	6	26
Queen's - - - -	27	132	19	94	Queen's - - - -	22	110	1	5
Westmeath - - -	23	96	—	—	Westmeath - - -	9	31	3	12
Wexford - - - -	15	60	—	—	Wexford - - - -	14	75	2	13
Wicklow - - - -	5	23	2	11	Wicklow - - - -	10	62	3	26
Total for Leinster -	133	626	27	133	Total for Leinster -	162	771	17	93
CONNAUGHT.					CONNAUGHT.				
Galway East Riding -	14	65	4	29	Galway East Riding -	4	28	—	—
Galway West Riding -	192	855	170	729	Galway West Riding -	56	224	2	12
Leitrim - - - -	36	153	10	23	Leitrim - - - -	49	205	1	5
Mayo - - - -	73	325	—	—	Mayo - - - -	44	253	2	5
Rosecommon - - -	49	243	23	104	Rosecommon - - -	8	44	—	—
Sligo - - - -	10	53	—	—	Sligo - - - -	4	18	—	—
Total for Connaught -	374	1,694	207	882	Total for Connaught -	165	772	5	22
MUNSTER.					MUNSTER.				
Clare - - - -	21	104	4	26	Clare - - - -	29	164	—	—
Cork East Riding -	6	36	2	18	Cork, East Riding -	31	180	—	—
Cork West Riding -	8	42	—	—	Cork, West Riding -	7	31	1	5
Kerry - - - -	65	324	10	81	Kerry - - - -	19	111	—	—
Limerick - - - -	36	194	12	65	Limerick - - - -	29	108	3	19
Tipperary North Riding -	20	90	5	19	Tipperary North Riding -	15	67	3	11
Tipperary South Riding -	54	209	49	190	Tipperary South Riding -	49	185	30	97
Waterford - - - -	8	29	—	—	Waterford - - - -	5	22	—	—
Total for Munster -	218	1,028	82	399	Total for Munster -	184	868	37	132
Total for Ireland -	837	3,872	346	1,564	Total for Ireland -	636	2,954	65	274

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1861.						RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year 1862.					
Province and County.		Evicted.		Re-admitted.		Province and County.		Evicted.		Re-admitted.	
		Families.	Persons.	Families.	Persons.			Families.	Persons.	Families.	Persons.
ULSTER.						ULSTER.					
Antrim	-	13	74	1	1	Antrim	-	9	58	2	8
Belfast	-	-	-	-	-	Belfast	-	-	-	-	-
Armagh	-	31	129	14	52	Armagh	-	32	144	10	40
Cavan	-	15	58	2	6	Cavan	-	15	79	2	7
Donegal	-	84	408	9	51	Donegal	-	19	92	-	-
Down	-	8	36	1	7	Down	-	9	58	2	10
Fermanagh	-	23	126	-	-	Fermanagh	-	36	188	1	5
Londonderry	-	5	20	-	-	Londonderry	-	3	19	1	8
Monaghan	-	15	71	-	-	Monaghan	-	13	76	-	-
Tyrone	-	6	31	-	-	Tyrone	-	13	55	4	18
Total for Ulster	-	200	953	27	117	Total for Ulster	-	149	769	22	96
LEINSTER.						LEINSTER.					
Carlow	-	27	114	12	52	Carlow	-	5	28	2	9
Dublin	-	5	27	1	5	Dublin	-	9	35	1	4
Kildare	-	19	68	-	-	Kildare	-	22	101	2	9
Kilkenny	-	47	212	6	30	Kilkenny	-	30	146	2	10
King's	-	28	139	3	13	King's	-	61	317	24	114
Longford	-	15	79	-	-	Longford	-	28	153	5	34
Louth	-	21	90	-	-	Louth	-	17	80	1	7
Meath	-	21	121	6	25	Meath	-	10	48	-	-
Queen's	-	25	122	4	21	Queen's	-	50	269	-	-
Westmeath	-	5	20	1	12	Westmeath	-	21	80	5	23
Wexford	-	31	169	1	1	Wexford	-	35	163	3	22
Wicklow	-	6	23	-	-	Wicklow	-	13	58	-	-
Total for Leinster	-	250	1,184	34	149	Total for Leinster	-	301	1,478	45	232
CONNAUGHT.						CONNAUGHT.					
Galway East Riding	-	22	115	3	18	Galway East Riding	-	23	100	3	11
Galway West Riding	-	25	120	3	20	Galway West Riding	-	47	234	1	5
Leitrim	-	42	195	7	23	Leitrim	-	121	582	58	284
Mayo	-	100	516	19	97	Mayo	-	106	525	24	135
Roscommon	-	72	358	61	295	Roscommon	-	38	156	3	12
Sligo	-	13	46	3	8	Sligo	-	46	201	16	88
Total for Connaught	-	274	1,350	96	461	Total for Connaught	-	381	1,798	105	535
MUNSTER.						MUNSTER.					
Clare	-	47	209	3	19	Clare	-	98	461	12	48
Cork, East Riding	-	40	206	34	173	Cork East Riding	-	41	241	7	28
Cork, West Riding	-	14	71	-	-	Cork West Riding	-	29	166	14	71
Kerry	-	111	551	22	148	Kerry	-	50	282	26	162
Limerick	-	45	213	22	101	Limerick	-	21	97	1	5
Tipperary North Riding	-	30	154	3	16	Tipperary North Riding	-	36	170	7	27
Tipperary South Riding	-	71	343	33	140	Tipperary South Riding	-	23	122	4	14
Waterford	-	10	54	-	-	Waterford	-	7	33	-	-
Total for Munster	-	368	1,801	117	597	Total for Munster	-	305	1,572	71	355
Total for Ireland	-	1,092	5,288	274	1,324	Total for Ireland	-	1,136	5,617	243	1,218

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the year 1863.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	61	276	—	—
Delfast - - - -	—	—	—	—
Armagh - - - -	47	199	14	51
Cavan - - - -	59	285	3	17
Donegal - - - -	48	242	5	28
Down - - - -	22	106	2	11
Fermanagh - - - -	23	118	—	—
Londonderry - - - -	8	47	—	—
Monaghan - - - -	23	132	—	—
Tyrone - - - -	38	164	1	3
Total for Ulster - - -	329	1,569	25	110
LEINSTER.				
Carlow - - - -	6	36	—	—
Dublin - - - -	13	48	—	—
Kildare - - - -	40	191	4	26
Kilkenny - - - -	30	174	4	15
King's - - - -	30	160	—	—
Longford - - - -	59	260	5	18
Louth - - - -	12	55	—	—
Meath - - - -	31	148	1	4
Queen's - - - -	85	374	46	164
Westminster - - - -	63	280	8	31
Wexford - - - -	39	195	5	21
Wicklow - - - -	10	53	1	7
Total for Leinster - - -	427	1,975	74	286
CONNAUGHT.				
Galway East Riding - -	26	117	1	6
Galway West Riding - -	118	577	3	12
Leitrim - - - -	129	584	8	42
Mayo - - - -	17	632	—	—
Roscommon - - - -	128	715	7	35
Sligo - - - -	30	178	—	—
Total for Connaught - - -	528	2,803	19	95
MUNSTER.				
Clare - - - -	67	356	5	17
Cork East Riding - - -	95	501	2	10
Cork West Riding - - -	30	168	—	—
Kerry - - - -	82	438	15	91
Limerick - - - -	31	174	—	—
Tipperary North Riding -	90	424	42	198
Tipperary South Riding -	37	199	—	—
Waterford - - - -	18	88	1	5
Total for Munster - - -	450	2,348	65	321
Total for Ireland - - -	1,734	8,695	183	812

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the year 1864.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	17	60	—	—
Belfast - - - -	—	—	—	—
Armagh - - - -	33	142	—	—
Cavan - - - -	31	182	1	6
Donegal - - - -	84	409	8	46
Down - - - -	18	91	3	6
Fermanagh - - - -	51	271	4	28
Londonderry - - - -	19	84	3	16
Monaghan - - - -	32	144	2	11
Tyrone - - - -	40	217	3	14
Total for Ulster - - -	325	1,600	24	127
LEINSTER.				
Carlow - - - -	8	37	1	8
Dublin - - - -	7	27	—	—
Kildare - - - -	18	96	—	—
Kilkenny - - - -	43	242	2	15
King's - - - -	22	125	3	18
Longford - - - -	82	372	5	18
Louth - - - -	26	144	4	23
Meath - - - -	86	366	48	208
Queen's - - - -	18	79	6	15
Westmeath - - - -	21	99	7	31
Wexford - - - -	33	162	18	79
Wicklow - - - -	26	119	2	15
Total for Leinster - - -	390	1,868	96	430
CONNAUGHT.				
Galway East Riding - -	40	170	1	4
Galway West Riding - -	75	380	15	84
Leitrim - - - -	180	853	9	35
Mayo - - - -	180	921	36	173
Roscommon - - - -	143	587	7	37
Sligo - - - -	74	348	10	43
Total for Connaught - - -	692	3,259	78	376
MUNSTER.				
Clare - - - -	85	382	1	8
Cork East Riding - - -	63	308	4	22
Cork West Riding - - -	37	211	9	55
Kerry - - - -	50	249	4	20
Limerick - - - -	107	480	4	19
Tipperary, North Riding -	73	343	29	127
Tipperary, South Riding -	40	190	—	—
Waterford - - - -	62	311	27	128
Total for Munster - - -	517	2,474	78	379
Total for Ireland - - -	1,924	9,201	276	1,312

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1865.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	7	42	3	19
Belfast - - - - -	—	—	—	—
Armagh - - - - -	24	113	1	3
Cavan - - - - -	34	140	12	43
Donegal - - - - -	85	403	5	22
Down - - - - -	26	111	3	119
Fermanagh - - - - -	18	67	1	7
Londonderry - - - - -	8	48	—	—
Monaghan - - - - -	13	58	3	8
Tyrone - - - - -	76	391	34	196
Total for Ulster - - -	291	1,373	62	317
LEINSTER.				
Carlow - - - - -	2	11	—	—
Dublin - - - - -	5	20	—	—
Kildare - - - - -	9	55	3	15
Kilkenny - - - - -	29	156	7	36
King's - - - - -	30	122	—	—
Longford - - - - -	25	114	5	18
Louth - - - - -	6	29	—	—
Meath - - - - -	45	208	1	9
Queen's - - - - -	14	40	—	—
Westmeath - - - - -	11	52	1	5
Wexford - - - - -	23	97	1	4
Wicklow - - - - -	33	136	29	115
Total for Leinster - - -	232	1,040	47	202
CONNAUGHT.				
Galway East Riding - - -	24	138	—	—
Galway West Riding - - -	74	374	5	30
Leitrim - - - - -	58	282	2	6
Mayo - - - - -	37	175	—	—
Roscommon - - - - -	26	143	3	22
Sligo - - - - -	17	93	4	22
Total for Connaught - - -	236	1,205	14	80
MUNSTER.				
Clare - - - - -	12	57	3	13
Cork East Riding - - - -	13	68	—	—
Cork West Riding - - - -	12	53	3	12
Kerry - - - - -	9	33	—	—
Limerick - - - - -	47	245	18	69
Tipperary North Riding - -	27	140	12	54
Tipperary South Riding - -	27	142	7	44
Waterford - - - - -	36	157	17	65
Total for Munster - - -	183	895	60	257
Total for Ireland - - -	942	4,513	183	856

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1866.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	12	43	—	—
Belfast - - - - -	—	—	—	—
Armagh - - - - -	10	38	2	9
Cavan - - - - -	2	9	—	—
Donegal - - - - -	80	395	26	137
Down - - - - -	7	23	1	3
Fermanagh - - - - -	8	26	—	—
Londonderry - - - - -	7	31	1	3
Monaghan - - - - -	14	73	1	9
Tyrone - - - - -	13	50	3	15
Total for Ulster - - -	153	693	34	176
LEINSTER.				
Carlow - - - - -	42	169	24	94
Dublin - - - - -	9	41	—	—
Kildare - - - - -	11	32	5	9
Kilkenny - - - - -	29	133	5	18
King's - - - - -	16	71	2	4
Longford - - - - -	18	72	1	1
Louth - - - - -	17	79	11	53
Meath - - - - -	21	110	2	11
Queen's - - - - -	22	100	8	39
Westmeath - - - - -	17	83	—	—
Wexford - - - - -	9	37	—	—
Wicklow - - - - -	9	47	1	6
Total for Leinster - - -	220	974	59	235
CONNAUGHT.				
Galway East Riding - - -	13	79	1	4
Galway West Riding - - -	55	245	5	17
Leitrim - - - - -	39	165	5	28
Mayo - - - - -	83	377	26	145
Roscommon - - - - -	9	42	—	—
Sligo - - - - -	10	52	—	—
Total for Connaught - - -	209	960	37	194
MUNSTER.				
Clare - - - - -	15	60	4	20
Cork East Riding - - - -	3	15	—	—
Cork West Riding - - - -	54	261	7	37
Kerry - - - - -	16	73	1	1
Limerick - - - - -	30	122	19	74
Tipperary North Riding - -	50	225	24	125
Tipperary South Riding - -	38	157	—	—
Waterford - - - - -	7	31	—	—
Total for Munster - - -	213	944	55	257
Total for Ireland - - -	795	3,571	185	862

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1867.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim	—	—	—	—
Belfast	—	—	—	—
Armagh	14	62	5	18
Cavan	16	79	3	15
Donegal	36	157	5	18
Down	5	30	—	—
Fermanagh	5	29	—	—
Londonderry	3	18	1	7
Monaghan	8	33	—	—
Tyrone	4	21	—	—
Total for Ulster	91	429	14	58
LEINSTER.				
Carlow	2	6	—	—
Dublin	12	61	—	—
Kildare	3	12	—	—
Kilkenny	6	15	—	—
King's	17	78	3	15
Longford	6	43	1	7
Louth	5	18	—	—
Meath	15	70	—	—
Queen's	12	67	2	10
Westmeath	29	120	7	24
Wexford	15	67	—	—
Wicklow	9	33	1	1
Total for Leinster	131	590	14	57
CONNAUGHT.				
Galway East Riding	14	64	4	22
Galway West Riding	82	374	10	43
Leitrim	38	172	3	13
Mayo	70	236	17	83
Rosecommon	10	53	—	—
Sligo	5	24	—	—
Total for Connaught	219	923	34	161
MUNSTER.				
Clare	9	44	—	—
Cork East Riding	10	48	—	—
Cork West Riding	9	42	—	—
Kerry	9	47	1	7
Limerick	12	49	2	10
Tipperary North Riding	30	170	21	102
Tipperary South Riding	22	105	4	16
Waterford	7	42	—	—
Total for Munster	108	547	28	135
Total for Ireland	549	2,489	90	411

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1868.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim	2	17	—	—
Belfast	—	—	—	—
Armagh	6	17	—	—
Cavan	28	131	2	9
Donegal	72	303	—	—
Down	6	32	1	8
Fermanagh	4	20	—	—
Londonderry	12	56	—	—
Monaghan	13	81	1	4
Tyrone	13	44	—	—
Total for Ulster	156	706	4	21
LEINSTER.				
Carlow	4	22	—	—
Dublin	18	60	13	42
Kildare	8	29	1	3
Kilkenny	12	67	—	—
King's	9	47	2	8
Longford	6	33	—	—
Louth	18	93	9	50
Meath	15	75	5	30
Queen's	3	12	—	—
Westmeath	25	125	7	33
Wexford	18	66	6	19
Wicklow	1	6	—	—
Total for Leinster	137	635	43	185
CONNAUGHT.				
Galway East Riding	14	76	2	17
Galway West Riding	41	204	2	8
Leitrim	40	189	3	14
Mayo	62	268	—	—
Roscommon	14	70	—	—
Sligo	23	134	—	—
Total for Connaught	194	941	7	39
MUNSTER.				
Clare	2	18	—	—
Cork East Riding	8	39	1	3
Cork West Riding	11	60	—	—
Kerry	9	65	—	—
Limerick	8	35	—	—
Tipperary North Riding	85	379	54	233
Tipperary South Riding	5	26	—	—
Waterford	22	98	13	62
Total for Munster	150	720	68	298
Total for Ireland	637	3,002	122	543

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1869.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	—	—	—	—
Belfast - - - - -	—	—	—	—
Armagh - - - - -	8	32	1	7
Cavan - - - - -	1	4	—	—
Donegal - - - - -	36	176	4	11
Down - - - - -	5	14	—	—
Fermanagh - - - - -	13	57	—	—
Londonderry - - - - -	4	24	1	5
Monaghan - - - - -	3	18	—	—
Tyrone - - - - -	11	41	2	5
Total for Ulster - - -	81	366	8	28
LEINSTER.				
Carlow - - - - -	34	126	8	40
Dublin - - - - -	9	36	—	—
Kildare - - - - -	9	33	—	—
Kilkenny - - - - -	12	48	—	—
King's - - - - -	8	37	2	11
Longford - - - - -	5	22	—	—
Louth - - - - -	6	25	—	—
Meath - - - - -	6	35	—	—
Queen's - - - - -	8	35	1	2
Westmeath - - - - -	3	21	—	—
Wexford - - - - -	14	63	9	44
Wicklow - - - - -	15	65	5	16
Total for Leinster - - -	129	546	25	113
CONNAUGHT.				
Galway East Riding - -	5	31	—	—
Galway West Riding - -	23	123	1	6
Leitrim - - - - -	14	56	—	—
Mayo - - - - -	27	147	7	55
Roscommon - - - - -	9	36	4	22
Sligo - - - - -	8	25	2	6
Total for Connaught - -	86	418	14	89
MUNSTER.				
Clare - - - - -	15	84	2	8
Cork East Riding - - -	2	1	—	—
Cork West Riding - - -	—	—	—	—
Kerry - - - - -	5	21	—	—
Limerick - - - - -	16	81	8	46
Tipperary North Riding -	4	21	—	—
Tipperary South Riding -	32	189	6	29
Waterford - - - - -	4	14	—	—
Total for Munster - - -	78	411	16	83
Total for Ireland - - -	374	1,741	63	313

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1870.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	6	17	—	—
Belfast - - - - -	—	—	—	—
Armagh - - - - -	13	67	—	—
Cavan - - - - -	1	1	—	—
Donegal - - - - -	56	267	2	17
Down - - - - -	11	51	3	14
Fermanagh - - - - -	5	20	1	1
Londonderry - - - - -	8	23	—	—
Monaghan - - - - -	1	3	—	—
Tyrone - - - - -	8	42	3	14
Total for Ulster - - -	109	491	9	46
LEINSTER.				
Carlow - - - - -	2	9	—	—
Dublin - - - - -	5	24	—	—
Kildare - - - - -	12	52	—	—
Kilkenny - - - - -	22	106	13	51
King's - - - - -	9	26	2	15
Longford - - - - -	19	98	—	—
Louth - - - - -	1	9	—	—
Meath - - - - -	25	114	19	91
Queen's - - - - -	9	39	—	—
Westmeath - - - - -	20	81	1	7
Wexford - - - - -	15	76	1	3
Wicklow - - - - -	24	132	2	6
Total for Leinster - - -	163	766	38	173
CONNAUGHT.				
Galway East Riding - -	6	35	—	—
Galway West Riding - -	58	267	12	67
Leitrim - - - - -	25	116	2	10
Mayo - - - - -	31	151	5	30
Roscommon - - - - -	9	55	1	7
Sligo - - - - -	10	53	4	22
Total for Connaught - -	139	677	24	136
MUNSTER.				
Clare - - - - -	11	56	—	—
Cork East Riding - - -	—	—	—	—
Cork West Riding - - -	5	24	—	—
Kerry - - - - -	30	149	2	14
Limerick - - - - -	11	52	1	5
Tipperary North Riding -	39	197	15	92
Tipperary South Riding -	18	85	1	2
Waterford - - - - -	23	119	14	59
Total for Munster - - -	137	682	33	172
Total for Ireland - - -	548	2,616	104	527

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1871.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	5	19	1	4
Belfast - - - - -	—	—	—	—
Armagh - - - - -	10	42	4	16
Cavan - - - - -	1	8	—	—
Donegal - - - - -	41	223	4	15
Down - - - - -	—	—	—	—
Fermanagh - - - - -	9	52	—	—
Londonderry - - - - -	6	36	—	—
Monaghan - - - - -	3	15	1	4
Tyrone - - - - -	16	67	8	30
Total for Ulster - - -	91	462	18	69
LEINSTER.				
Carlow - - - - -	1	7	—	—
Dublin - - - - -	10	48	—	—
Kildare - - - - -	—	—	—	—
Kilkenny - - - - -	6	37	—	—
King's - - - - -	10	43	—	—
Longford - - - - -	13	54	—	—
Louth - - - - -	—	—	—	—
Meath - - - - -	21	78	10	35
Queen's - - - - -	1	4	—	—
Westmeath - - - - -	24	99	6	37
Wexford - - - - -	5	26	1	4
Wicklow - - - - -	10	46	2	14
Total for Leinster - - -	101	442	19	90
CONNAUGHT.				
Galway East Riding - - -	38	209	3	11
Galway West Riding - - -	47	243	4	23
Leitrim - - - - -	20	81	—	—
Mayo - - - - -	21	100	3	19
Roscommon - - - - -	4	24	—	—
Sligo - - - - -	54	250	50	231
Total for Connaught - - -	184	907	60	284
MUNSTER.				
Clare - - - - -	23	98	6	26
Cork East Riding - - -	6	28	—	—
Cork West Riding - - -	12	62	5	30
Kerry - - - - -	23	144	4	24
Limerick - - - - -	9	33	—	—
Tipperary North Riding - -	18	88	2	12
Tipperary South Riding - -	8	59	—	—
Waterford - - - - -	7	34	—	—
Total for Munster - - -	106	546	17	92
Total for Ireland - - -	482	2,357	114	535

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1872.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - - -	3	12	—	—
Belfast - - - - -	1	5	—	—
Armagh - - - - -	16	69	1	5
Cavan - - - - -	9	46	—	—
Donegal - - - - -	41	210	15	75
Down - - - - -	8	33	—	—
Fermanagh - - - - -	16	63	2	4
Londonderry - - - - -	1	10	—	—
Monaghan - - - - -	2	7	—	—
Tyrone - - - - -	42	198	25	111
Total for Ulster - - -	139	653	43	195
LEINSTER.				
Carlow - - - - -	39	199	38	198
Dublin - - - - -	3	16	1	9
Kildare - - - - -	11	55	3	11
Kilkenny - - - - -	14	61	6	22
King's - - - - -	9	36	—	—
Longford - - - - -	14	54	8	28
Louth - - - - -	1	1	—	—
Meath - - - - -	5	19	—	—
Queen's - - - - -	—	—	—	—
Westmeath - - - - -	9	50	3	16
Wexford - - - - -	5	18	—	—
Wicklow - - - - -	3	10	—	—
Total for Leinster - - -	113	519	59	284
CONNAUGHT.				
Galway East Riding - - -	39	195	—	—
Galway West Riding - - -	31	125	—	—
Leitrim - - - - -	19	73	4	19
Mayo - - - - -	49	242	1	6
Roscommon - - - - -	21	97	2	12
Sligo - - - - -	14	74	1	2
Total for Connaught - - -	173	806	8	39
MUNSTER.				
Clare - - - - -	17	75	3	5
Cork East Riding - - -	3	17	—	—
Cork West Riding - - -	13	52	2	3
Kerry - - - - -	33	188	2	7
Limerick - - - - -	10	53	—	—
Tipperary North Riding - -	13	49	1	4
Tipperary South Riding - -	7	38	—	—
Waterford - - - - -	5	26	—	—
Total for Munster - - -	101	498	8	10
Total for Ireland - - -	526	2,476	118	537

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the year 1873.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim	—	—	—	—
Belfast	—	—	—	—
Armagh	10	34	2	5
Cavan	38	170	15	68
Donegal	42	195	8	44
Down	17	63	5	20
Fermanagh	9	41	—	—
Londonderry	2	4	—	—
Monaghan	—	—	—	—
Tyrone	11	43	—	—
Total for Ulster	120	550	30	137
LEINSTER.				
Carlow	8	33	—	—
Dublin	6	18	1	1
Kildare	8	35	—	—
Kilkenny	17	79	8	34
King's	15	70	—	—
Longford	4	10	—	—
Louth	6	13	1	1
Meath	4	11	—	—
Queen's	9	40	1	1
Westmeath	13	71	1	13
Wexford	37	173	—	—
Wicklow	4	30	—	—
Total for Leinster	131	583	12	50
CONNAUGHT.				
Galway East Riding	16	61	—	—
Galway West Riding	73	306	16	65
Leitrim	18	84	4	26
Mayo	64	318	23	104
Rosecommon	25	90	15	63
Sligo	7	25	6	24
Total for Connaught	203	884	64	282
MUNSTER.				
Clare	38	166	14	67
Cork East Riding	31	166	2	13
Cork West Riding	12	62	6	38
Kerry	63	360	21	111
Limerick	16	81	—	—
Tipperary North Riding	14	57	2	6
Tipperary South Riding	12	61	1	5
Waterford	22	108	—	—
Total for Munster	208	1,061	46	240
Total for Ireland	671	3,078	152	709

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the year 1874.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim	6	29	1	6
Belfast	—	—	—	—
Armagh	8	48	1	9
Cavau	26	119	2	11
Donegal	102	448	50	240
Down	11	58	—	—
Fermanagh	14	85	—	—
Londonderry	9	48	2	6
Monaghan	5	21	—	—
Tyrone	15	81	7	38
Total for Ulster	196	937	63	310
LEINSTER.				
Carlow	19	74	1	7
Dublin	7	28	1	2
Kildare	5	27	—	—
Kilkeuny	15	71	—	—
King's	10	57	5	19
Longford	11	55	1	6
Louth	4	16	—	—
Meath	6	35	—	—
Queen's	9	39	—	—
Westmeath	10	31	2	11
Wexford	7	39	—	—
Wicklow	4	23	—	—
Total for Leinster	107	495	10	45
CONNAUGHT.				
Galway East Riding	20	107	—	—
Galway West Riding	35	164	2	18
Leitrim	10	67	1	2
Mayo	157	743	71	392
Rosecommon	20	87	2	5
Slgio	4	29	1	8
Total for Connaught	246	1,197	77	425
MUNSTER.				
Clare	24	130	5	34
Cork East Riding	5	25	—	—
Cork West Riding	7	60	—	—
Kerry	57	324	7	27
Limerick	23	124	—	—
Tipperary North Riding	8	41	3	18
Tipperary South Riding	37	140	30	112
Waterford	16	98	5	26
Total for Munster	177	942	50	217
Total for Ireland	726	3,571	200	997

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[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the year 1875.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	5	29	—	—
Belfast - - - -	—	—	—	—
Armagh - - - -	11	62	4	25
Cavan - - - -	27	101	15	69
Donegal - - - -	39	175	—	—
Down - - - -	3	19	1	2
Fermanagh - - -	13	58	—	—
Londonderry - -	3	23	—	—
Monaghan - - -	1	2	—	—
Tyrone - - - -	4	15	—	—
Total for Ulster - -	106	484	20	96
LEINSTER.				
Carlow - - - -	5	39	—	—
Dublin - - - -	6	21	—	—
Kildare - - - -	6	43	1	3
Kilkenny - - - -	11	52	—	—
King's - - - -	11	47	—	—
Longford - - - -	16	76	—	—
Louth - - - -	8	36	2	14
Meath - - - -	21	84	1	9
Queen's - - - -	6	26	—	—
West Meath - - -	20	54	2	6
Wexford - - - -	11	49	1	3
Wicklow - - - -	3	19	—	—
Total or Leinster - -	124	546	7	35
CONNAUGHT.				
Galway East Riding - -	21	93	—	—
Galway West Riding - -	113	607	11	59
Leitrim - - - -	27	106	1	7
Mayo - - - -	66	305	2	11
Roscommon - - -	13	77	2	8
Sligo - - - -	36	194	3	13
Total for Connaught -	276	1,382	19	98
MUNSTER.				
Clare - - - -	25	114	4	27
Cork East Riding - -	29	138	1	2
Cork West Riding - -	11	80	1	11
Kerry - - - -	48	313	18	115
Limerick - - - -	13	77	—	—
Tipperary North Riding -	14	74	—	—
Tipperary South Riding -	19	103	1	3
Waterford - - - -	2	12	—	—
Total for Munster - -	161	911	25	158
Total for Ireland - -	667	3,323	71	387

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the year 1876.

Province and County.	Evicted.		Re-admitted.	
	Families.	Persons.	Families.	Persons.
ULSTER.				
Antrim - - - -	5	11	1	—
Belfast - - - -	—	—	—	—
Armagh - - - -	8	37	1	4
Cavan - - - -	28	111	14	55
Donegal - - - -	49	214	2	12
Down - - - -	7	26	—	—
Fermanagh - - -	19	89	—	—
Londonderry - - -	8	48	1	5
Monaghan - - - -	18	77	5	17
Tyrone - - - -	22	128	3	16
Total for Ulster - -	164	741	27	109
LEINSTER.				
Carlow - - - -	6	44	—	—
Dublin - - - -	5	25	—	—
Kildare - - - -	8	48	—	—
Kilkenny - - - -	10	34	1	1
King's - - - -	7	38	—	—
Longford - - - -	35	178	33	148
Louth - - - -	16	53	1	3
Meath - - - -	22	80	2	7
Queen's - - - -	2	9	—	—
West Meath - - -	20	79	2	7
Wexford - - - -	13	51	1	4
Wicklow - - - -	7	24	—	—
Total for Leinster - -	151	663	40	170
CONNAUGHT.				
Galway East Riding - -	17	91	1	12
Galway West Riding - -	39	192	—	—
Leitrim - - - -	22	98	1	7
Mayo - - - -	12	70	1	5
Roscommon - - -	7	45	—	—
Sligo - - - -	7	32	—	—
Total for Connaught -	104	528	3	24
MUNSTER.				
Clare - - - -	35	155	3	23
Cork East Riding - -	3	24	—	—
Cork West Riding - -	5	27	—	—
Kerry - - - -	19	103	4	28
Limerick - - - -	22	91	—	—
Tipperary North Riding -	15	59	—	—
Tipperary South Riding -	23	87	8	29
Waterford - - - -	12	72	—	—
Total for Munster - -	134	618	15	80
Total for Ireland - -	553	2,550	85	8

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[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1877.

Province and County.	Agrarian rages.	Evicted.		Re-admitted.	
		Families.	Persons.	Families.	Persons.
ULSTER.					
Antrim - - -	1	3	15	—	—
Belfast - - -	—	—	—	—	—
Armagh - - -	9	2	4	—	—
Cavan - - -	4	5	24	2	15
Donegal - - -	15	43	208	5	29
Down - - -	2	—	—	—	—
Fermanagh - - -	2	10	46	—	—
Londonderry - - -	9	1	3	—	—
Monaghan - - -	6	1	3	—	—
Tyrone - - -	4	3	23	1	2
Total for Ulster -	52	68	326	8	46
LEINSTER.					
Carlow - - -	—	5	21	—	—
Dublin - - -	—	10	40	—	—
Kildare - - -	1	1	2	—	—
Kilkenny - - -	6	8	37	1	2
King's - - -	10	16	35	2	5
Longford - - -	6	31	125	1	3
Louth - - -	1	11	46	4	24
Meath - - -	5	18	67	4	21
Queen's - - -	3	8	31	—	—
Westmeath - - -	11	21	72	8	28
Wexford - - -	1	20	98	3	17
Wicklow - - -	1	11	56	1	4
Total for Leinster	45	160	630	24	104
CONNAUGHT.					
Galway East Riding -	5	8	29	—	—
Galway West Riding -	15	37	189	5	22
Leitrim - - -	10	14	59	4	20
Mayo - - -	52	32	181	2	9
Rosecommon - - -	7	15	89	2	7
Sligo - - -	5	12	61	3	19
Total for Connaught	94	118	608	16	77
MUNSTER.					
Clare - - -	5	2	123	3	24
Cork East Riding -	4	10	48	4	17
Cork West Riding -	1	5	24	—	—
Kerry - - -	8	17	96	—	—
Limerick - - -	9	27	154	—	—
Tipperary North Riding	7	9	36	—	—
Tipperary South Riding	10	10	49	2	9
Waterford - - -	1	17	83	—	—
Total for Munster	45	117	613	9	50
Total for Ireland	236	463	2,177	57	277

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1878.

Province and County.	Out- Agrarian rages.	Eviected.		Re-admitted.	
		Families.	Persons.	Families.	Persons.
ULSTER.					
Antrim - -	4	4	13	—	—
Belfast - -	—	—	—	—	—
Armagh - -	10	9	31	—	—
Cavan - -	12	26	99	5	14
Donegal - -	16	19	88	—	—
Down - -	4	10	42	—	—
Fermanagh - -	2	9	45	—	—
Londonderry - -	—	2	10	—	—
Monaghan - -	6	5	23	—	—
Tyrone - -	3	4	24	—	—
Total for Ulster -	57	88	375	5	14
LEINSTER.					
Carlow - -	2	9	66	—	—
Dublin - -	1	30	131	11	53
Kildare - -	8	4	11	1	2
Kilkenny - -	7	30	161	3	23
King's - -	18	48	232	25	155
Longford - -	10	24	123	2	11
Louth - -	5	3	15	—	1
Meath - -	8	68	255	13	54
Queen's - -	1	10	70	2	18
Westmeath - -	16	18	55	1	1
Wexford - -	5	27	97	1	4
Wicklow - -	5	4	19	—	—
Total for Leinster -	86	275	1,235	59	322
CONNAUGHT.					
Galway East Riding -	3	27	127	9	52
Galway West Riding -	19	192	1,015	17	122
Leitrim - -	10	48	221	9	52
Mayo - -	25	47	214	—	—
Rosecommon - -	12	27	112	1	2
Sligo - -	15	24	126	1	3
Total for Connaught	84	365	1,815	37	231
MUNSTER.					
Clare - -	8	20	86	—	—
Cork East Riding -	14	61	280	25	103
Cork West Riding -	9	15	102	—	—
Kerry - -	5	26	128	—	—
Limerick - -	22	52	251	2	8
Tipperary North Riding	8	24	120	5	21
Tipperary South Riding	4	28	146	8	31
Waterford - -	4	26	141	5	33
Total for Munster -	74	252	1,254	45	196
Total for Ireland -	201	980	4,679	146	763

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1879.

Province and County.	Agrarian Crime.	Evicted.		Re-admitted.	
		Families.	Persons.	Families.	Persons.
ULSTER.					
Antrim - - -	1	11	62	—	—
Belfast - - -	—	—	—	—	—
Armagh - - -	8	21	112	—	—
Cavan - - -	35	27	127	2	8
Donegal - - -	25	41	188	1	8
Down - - -	10	10	49	2	7
Fermanagh - - -	4	22	111	—	—
Londonderry - - -	7	5	21	—	—
Monaghan - - -	8	8	40	—	—
Tyrone - - -	11	27	127	2	8
Total for Ulster -	109	172	837	7	31
LEINSTER.					
Carlow - - -	3	14	81	1	10
Dublin - - -	1	31	158	—	—
Kildare - - -	12	13	62	—	—
Kilkenny - - -	8	43	203	3	13
King's - - -	34	14	34	—	—
Longford - - -	18	45	225	16	77
Louth - - -	8	12	48	1	4
Meath - - -	19	52	215	2	12
Queen's - - -	5	33	166	4	25
Westmeath - - -	36	56	214	16	62
Wexford - - -	4	27	129	6	28
Wicklow - - -	1	14	54	—	—
Total for Leinster -	147	354	1,589	49	231
CONNAUGHT.					
Galway East Riding -	33	22	116	—	—
Galway West Riding -	146	46	225	—	—
Leitrim - - -	26	94	466	30	131
Mayo - - -	178	77	371	1	3
Roscommon - - -	35	24	117	2	8
Sligo - - -	53	50	257	12	75
Total for Connaught	471	313	1,552	45	217
MUNSTER.					
Clare - - -	21	8	48	—	—
Cork East Riding -	27	119	663	14	56
Cork West Riding -	16	39	219	2	9
Kerry - - -	13	83	514	13	69
Limerick - - -	27	50	256	7	30
Tipperary North Riding -	14	14	75	1	9
Tipperary South Riding -	1	37	227	1	1
Waterford - - -	4	49	259	1	10
Total for Munster -	123	399	2,261	39	184
Total for Ireland -	913	1,238	6,239	140	663

RETURN of the NUMBER of EVICTIONS throughout
IRELAND in the Year 1880.

Province and County.	Agrarian Crime.	Evicted.		Re-admitted.	
		Families.	Persons.	Families.	Persons.
ULSTER.					
Antrim - - -	15	13	57	2	14
Belfast - - -	—	—	—	—	—
Armagh - - -	39	21	83	3	12
Cavan - - -	73	149	805	10	62
Donegal - - -	52	98	492	7	36
Down - - -	20	27	106	10	38
Fermanagh - - -	6	43	197	5	22
Londonderry - - -	14	19	76	5	11
Monaghan - - -	19	44	197	7	24
Tyrone - - -	21	83	388	3	18
Total for Ulster -	259	497	2,401	52	237
LEINSTER.					
Carlow - - -	22	14	67	8	33
Dublin - - -	7	20	77	4	14
Kildare - - -	30	23	111	—	—
Kilkenny - - -	31	43	193	3	4
King's - - -	49	48	190	25	111
Longford - - -	31	63	333	7	38
Louth - - -	8	20	82	3	5
Meath - - -	41	80	340	5	31
Queen's - - -	18	76	366	1	2
Westmeath - - -	35	36	162	—	—
Wexford - - -	56	33	150	3	6
Wicklow - - -	23	28	124	6	25
Total for Leinster -	351	484	2,195	65	269
CONNAUGHT.					
Galway Fast Riding -	78	21	77	4	9
Galway West Riding -	324	74	344	10	44
Leitrim - - -	102	83	416	6	30
Mayo - - -	343	106	530	1	8
Roscommon - - -	43	69	412	—	—
Sligo - - -	71	34	207	1	6
Total for Connaught	961	387	1,986	22	97
MUNSTER.					
Clare - - -	93	43	246	2	15
Cork East Riding -	157	166	897	35	197
Cork West Riding -	133	56	335	5	31
Kerry - - -	298	191	1,140	9	51
Limerick - - -	186	141	752	19	83
Tipperary North Riding -	49	24	120	—	—
Tipperary South Riding -	57	53	279	2	10
Waterford - - -	46	68	306	6	31
Total for Munster -	1,019	742	4,075	78	413
Total for Ireland -	2,590	2,110	10,457	217	1,021

2 May. 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year ended 31st March 1881.

Province and County.	Agrarian Crime.	Evicted.		Re-admitted as Tenants.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
ULSTER.							
Antrim - - - - -	16	56	251	8	50	34	136
Belfast - - - - -	—	—	—	—	—	—	—
Armagh - - - - -	18	132	584	20	112	35	165
Cavan - - - - -	95	117	556	7	29	63	347
Donegal - - - - -	119	289	1,417	5	28	247	1,237
Down - - - - -	22	53	246	1	11	24	114
Fermanagh - - - - -	28	66	345	1	6	27	147
Londonderry - - - - -	24	48	219	6	39	14	60
Monaghan - - - - -	52	149	728	5	18	90	452
Tyrone - - - - -	40	309	1,340	8	29	218	1,029
Total for Ulster - -	414	1,219	5,686	61	322	752*	3,687
LEINSTER.							
Carlow - - - - -	34	59	296	1	3	26	141
Dublin - - - - -	18	30	132	3	22	8	43
Kildare - - - - -	46	33	124	9	23	9	44
Kilkenny - - - - -	113	49	203	6	18	18	65
King's - - - - -	154	38	183	2	13	6	23
Longford - - - - -	86	232	1,259	1	3	72	450
Louth - - - - -	30	18	84	7	41	5	17
Meath - - - - -	55	84	363	2	8	42	191
Queen's - - - - -	93	47	194	2	11	28	125
Westmeath - - - - -	100	14	61	2	14	6	15
Wexford - - - - -	59	62	278	1	4	25	122
Wicklow - - - - -	45	26	135	1	7	6	37
Total for Leinster -	833	692	3,312	37	167	251	1,273
CONNAUGHT.							
Galway East Riding - -	206	34	158	1	6	17	93
Galway West Riding - -	281	97	517	6	30	21	97
Leitrim - - - - -	166	222	1,332	5	35	104	650
Mayo - - - - -	308	244	1,295	1	5	129	722
Roscommon - - - - -	174	123	712	2	12	64	353
Sligo - - - - -	100	64	364	2	14	45	290
Total for Connaught -	1,235	784	4,378	17	102	380	2,205
MUNSTER.							
Clare - - - - -	213	68	337	4	31	35	185
Cork East Riding - - -	313	134	690	47	305	29	160
Cork West Riding - - -	338	134	812	8	51	80	497
Kerry - - - - -	401	192	1,196	6	51	103	637
Limerick - - - - -	263	92	435	1	6	32	152
Tipperary North Riding -	196	32	144	2	6	13	74
Tipperary South Riding -	135	22	132	—	—	9	65
Waterford - - - - -	98	46	219	11	44	7	42
Total for Munster - -	1,957	720	3,965	79	494	308	1,812
Total for Ireland - -	4,439	3,415	17,341	194	1,085	1,691	8,977

* The Government Returns give this figure 747, but which should be 752, it being wrongly added up.

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year ended 31st December 1882.

Province or County.	Agrarian Crimes.	Evicted.		Re-admitted as Tenants.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
ULSTER.							
Antrim - - - - -	12	45	221	9	46	23	123
Belfast - - - - -	—	—	—	—	—	—	—
Armagh - - - - -	20	155	587	19	75	62	265
Cavan - - - - -	92	169	864	6	18	90	484
Donegal - - - - -	58	289	1,478	1	4	82	408
Down - - - - -	14	40	154	3	12	11	47
Fermanagh - - - - -	22	33	161	—	—	15	71
Londonderry - - - - -	20	105	467	3	10	61	290
Monaghan - - - - -	22	125	566	4	22	69	344
Tyrone - - - - -	59	215	976	1	6	140	700
Total for Ulster - - -	319	1,176	5,474	46	193	553	2,732
LEINSTER.							
Carlow - - - - -	15	21	93	2	13	10	51
Dublin - - - - -	12	40	206	—	—	14	92
Kildare - - - - -	59	36	143	—	—	8	43
Kilkenny - - - - -	81	75	366	—	—	28	141
King's - - - - -	109	118	503	11	23	57	290
Longford - - - - -	108	238	1,274	3	23	51	270
Louth - - - - -	19	20	84	—	—	7	33
Meath - - - - -	46	147	636	6	25	102	456
Queen's - - - - -	70	96	468	2	4	35	163
Westmeath - - - - -	131	127	528	31	116	55	235
Wexford - - - - -	54	125	505	27	98	28	116
Wicklow - - - - -	28	48	239	—	—	13	64
Total for Leinster - - -	732	1,091	5,045	82	302	408	1,954
CONNAUGHT.							
Galway East Riding - - -	168	70	369	1	4	41	236
Galway West Riding - - -	181	471	2,559	—	1	194	1,145
Leitrim - - - - -	114	186	971	2	8	47	255
Mayo - - - - -	146	291	1,672	7	36	175	1,001
Roscommon - - - - -	135	283	1,504	4	33	186	1,047
Sligo - - - - -	137	156	892	13	66	124	737
Total for Connaught - - -	881	1,457	7,967	27	148	767	4,421
MUNSTER.							
Clare - - - - -	207	164	861	6	32	57	270
Cork East Riding - - -	156	120	605	5	24	46	223
Cork West Riding - - -	171	155	944	9	43	75	438
Kerry - - - - -	347	293	1,837	—	—	137	845
Limerick - - - - -	154	338	1,940	6	29	134	688
Tipperary North Riding - -	173	143	762	3	18	63	314
Tipperary South Riding - -	217	223	1,221	11	33	80	396
Waterford - - - - -	75	41	180	3	11	11	57
Total for Munster - - -	1,500	1,477	8,350	43	190	603	3,231
Total for Ireland - - -	3,432	5,201	26,836	198	833	2,331	12,338

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year ended 31st December 1883.

Province or County.	Agrarian Crime.	Evicted.		Re-admitted as Tenants.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
ULSTER.							
Antrim - - - - -	7	41	229	8	32	9	57
Belfast - - - - -	—	—	—	—	—	—	—
Armagh - - - - -	8	127	527	47	185	34	174
Cavan - - - - -	23	103	427	2	2	40	165
Donegal - - - - -	10	98	443	9	45	27	137
Down - - - - -	3	44	211	—	—	10	57
Fermanagh - - - - -	10	54	240	—	—	30	120
Londonderry - - - - -	6	54	231	2	10	23	97
Monaghan - - - - -	19	66	280	1	11	25	103
Tyrone - - - - -	3	102	361	1	5	69	268
Total for Ulster - - -	89	689	2,949	70	290	267	1,178
LEINSTER.							
Carlow - - - - -	3	32	142	—	—	15	77
Dublin - - - - -	2	13	56	—	—	4	32
Kildare - - - - -	7	35	150	—	—	16	81
Kilkenny - - - - -	35	45	188	5	23	18	84
King's - - - - -	21	94	438	22	124	23	99
Longford - - - - -	36	67	241	2	14	18	70
Louth - - - - -	3	28	99	2	12	14	51
Meath - - - - -	11	78	331	12	58	25	113
Queen's - - - - -	25	75	290	—	—	17	69
Westmeath - - - - -	20	99	452	20	92	35	179
Wexford - - - - -	17	81	332	2	10	46	167
Wicklow - - - - -	4	19	87	—	—	15	65
Total for Leinster - -	184	666	2,806	65	333	246	1,087
CONNAUGHT.							
Galway East Riding - - -	25	71	342	2	5	27	136
Galway West Riding - - -	31	168	832	11	69	55	299
Leitrim - - - - -	17	111	608	1	7	26	135
Mayo - - - - -	45	401	2,088	10	48	209	1,163
Roscommon - - - - -	16	148	719	2	8	41	205
Sligo - - - - -	17	82	439	—	—	49	257
Total for Connaught - -	151	981	5,028	26	137	407	2,195
MUNSTER.							
Clare - - - - -	55	147	718	8	10	35	175
Cork East Riding - - -	59	202	985	18	75	84	436
Cork West Riding - - -	39	123	679	1	10	56	285
Kerry - - - - -	146	403	2,462	12	96	141	742
Limerick - - - - -	70	146	756	3	11	65	332
Tipperary North Riding - -	23	47	252	1	9	20	99
Tipperary South Riding - -	39	152	812	20	88	51	295
Waterford - - - - -	15	87	408	2	10	35	168
Total for Munster - - -	446	1,307	7,072	65	309	487	2,532
Total for Ireland - - -	870	3,643	17,855	226	1,069	1,407	6,992

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the year ended 31st December 1884.

Province or County.	Agrarian Crime.	Evicted.		Re-admitted as Tenants.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
ULSTER.							
Antrim - - - - -	2	67	266	1	1	57	227
Belfast - - - - -	—	—	—	—	—	—	—
Armagh - - - - -	4	89	339	4	17	33	170
Cavan - - - - -	16	153	707	3	8	59	305
Donegal - - - - -	22	218	922	3	13	95	465
Down - - - - -	4	76	297	23	92	17	74
Fermanagh - - - - -	8	74	328	3	12	44	209
Londonderry - - - - -	6	63	252	1	7	28	131
Monaghan - - - - -	9	137	621	—	—	77	396
Tyrone - - - - -	5	167	668	—	—	119	514
Total for Ulster - - -	76	1,044	4,400	38	150	529	2,491
LEINSTER.							
Carlow - - - - -	1	12	55	3	14	3	11
Dublin - - - - -	1	24	100	—	—	6	34
Kildare - - - - -	1	25	108	1	5	8	35
Kilkenny - - - - -	21	63	250	7	13	20	112
King's - - - - -	13	68	293	19	88	21	99
Longford - - - - -	25	75	353	3	11	26	134
Louth - - - - -	5	29	96	1	6	16	62
Meath - - - - -	5	78	244	2	2	29	121
Queen's - - - - -	28	86	402	1	4	26	134
Westmeath - - - - -	21	35	100	3	7	15	57
Wexford - - - - -	14	103	453	1	4	55	268
Wicklow - - - - -	5	21	113	—	—	5	41
Total for Leinster - - -	140	619	2,567	41	154	230	1,108
CONNAUGHT.							
Galway East Riding - - -	29	58	250	—	—	17	89
Galway West Riding - - -	14	225	1,054	2	35	62	314
Leitrim - - - - -	17	142	753	2	7	35	228
Mayo - - - - -	24	456	2,273	13	56	184	967
Roscommon - - - - -	13	212	1,026	3	20	66	362
Sligo - - - - -	20	153	815	2	7	88	498
Total for Connaught - - -	117	1,246	6,171	27	125	452	2,458
MUNSTER.							
Clare - - - - -	38	109	566	1	1	35	212
Cork East Riding - - -	74	156	777	31	147	72	362
Cork West Riding - - -	34	67	443	3	26	31	188
Kerry - - - - -	117	410	2,405	23	142	172	924
Limerick - - - - -	70	212	1,081	27	112	104	533
Tipperary North Riding - -	30	62	297	2	17	27	126
Tipperary South Riding - -	45	150	784	5	18	77	431
Waterford - - - - -	21	113	534	25	138	31	141
Total for Munster - - -	429	1,279	6,887	117	601	549	2,917
Total for Ireland - - -	779	4,188	20,025	223	1,030	1,760	8,974

* The Government Returns give this figure as 3,978, but which should be 4,188, being added up wrongly.

2 May 1889.]

[Continued.

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year ended 31st December 1885. 1

Province or County.	Agrarian Crime.	Evicted.		Re-admitted as Tenants.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
ULSTER.							
Antrim - - - - -	3	108	506	11	66	74	30
Armagh - - - - -	1	16	272	5	10	45	174
Cavan - - - - -	19	105	421	—	—	34	172
Donegal - - - - -	7	209	983	1	5	138	670
Down - - - - -	6	37	99	1	2	11	47
Fermanagh - - - - -	8	48	221	—	—	27	150
Londonderry - - - - -	12	35	152	—	—	18	81
Monaghan - - - - -	8	56	241	—	—	25	135
Tyrone - - - - -	3	159	678	2	8	128	596
Total for Ulster -	67	833	3,573	20	91	500	2,355
LEINSTER.							
Carlow - - - - -	6	4	13	—	—	—	—
Dublin - - - - -	2	18	69	—	—	6	25
Kildare - - - - -	7	18	73	1	6	8	35
Kilkenny - - - - -	9	30	127	1	3	17	85
Kings - - - - -	26	37	182	—	—	19	96
Longford - - - - -	23	124	607	19	88	29	173
Louth - - - - -	6	17	52	1	2	3	10
Meath - - - - -	5	41	163	13	54	18	82
Queens - - - - -	22	48	189	—	—	24	101
Westmeath - - - - -	21	47	174	—	—	27	112
Wexford - - - - -	25	31	147	—	—	17	97
Wicklow - - - - -	4	20	82	—	—	11	60
Total for Leinster -	156	435	1,878	35	153	179	876
CONNAUGHT.							
Galway East Riding - - -	36	72	280	16	58	23	110
Galway West Riding - - -	43	215	1,071	—	—	53	252
Leitrim - - - - -	23	88	442	2	9	25	115
Mayo - - - - -	26	235	1,184	8	45	79	453
Rosecommon - - - - -	14	157	836	2	14	104	624
Sligo - - - - -	11	132	700	—	—	77	396
Total for Connaught -	153	899	4,513	28	126	361	1,950
MUNSTER.							
Clare - - - - -	88	113	614	14	78	50	266
Cork East Riding - - -	75	117	601	9	45	73	381
Cork West Riding - - -	45	88	471	2	14	54	291
Kerry - - - - -	180	358	2,264	5	31	159	993
Limerick - - - - -	61	132	830	—	—	96	598
Tipperary North Riding -	38	36	196	—	—	20	111
Tipperary South Riding -	56	80	357	3	9	35	184
Waterford - - - - -	25	36	126	4	11	13	51
Total for Munster -	568	960	5,549	37	188	500	2,875
Total for Ireland -	944	3,127	15,423	120	558	1,540	8,056

2 May 1889.]

[Continued.]

RETURN of the NUMBER of EVICTIONS throughout IRELAND in the Year ended 31st December 1886.

Province or County.	Agrarian Crime.	Evicted.		Re-admitted as Tenants.		Re-admitted as Caretakers.	
		Families.	Persons.	Families.	Persons.	Families.	Persons.
ULSTER.							
Antrim - - - - -	2	34	172	—	17	18	108
Armagh - - - - -	2	64	298	4	19	45	223
Cavan - - - - -	14	135	626	4	9	89	456
Donegal - - - - -	9	161	726	1	22	91	453
Down - - - - -	5	29	123	3	—	18	89
Fermanagh - - - - -	9	75	385	—	—	61	322
Londonderry - - - - -	13	49	219	2	4	22	96
Monaghan - - - - -	12	93	460	—	—	73	372
Tyrone - - - - -	22	140	579	2	6	119	512
Total for Ulster - - -	88	870	3,588	16	77	536	2,631
LEINSTER.							
Carlow - - - - -	2	17	62	—	—	6	32
Dublin - - - - -	2	16	57	1	1	7	36
Kildare - - - - -	4	12	54	—	—	8	48
Kilkenny - - - - -	12	67	300	—	—	31	155
King's - - - - -	19	40	182	1	10	24	111
Longford - - - - -	19	83	328	—	—	51	225
Louth - - - - -	4	8	36	—	—	6	30
Meath - - - - -	4	43	209	6	37	21	107
Queen's - - - - -	10	50	277	6	36	24	133
Westmeath - - - - -	24	54	228	4	18	27	123
Wexford - - - - -	12	80	337	5	18	44	182
Wicklow - - - - -	2	24	105	—	—	18	85
Total for Leinster - - -	114	494	2,175	23	120	267	1,267
CONNAUGHT.							
Galway East Riding - - -	72	36	149	—	—	12	41
Galway West Riding - - -	43	289	1,685	13	70	103	599
Leitrim - - - - -	29	168	889	3	14	84	474
Mayo - - - - -	31	475	2,441	6	41	307	1,696
Roscommon - - - - -	31	218	1,168	4	31	119	683
Sligo - - - - -	16	52	282	2	13	23	151
Total for Connaught - - -	222	123	6,614	28	169	648	3,644
MUNSTER.							
Clare - - - - -	141	79	361	—	—	35	143
Cork East Riding - - -	73	297	1,413	64	289	156	780
Cork West Riding - - -	44	99	573	—	—	68	38
Kerry - - - - -	209	539	3,446	38	273	239	1,435
Limerick - - - - -	67	101	538	4	27	54	313
Tipperary North Riding - -	23	27	122	—	—	8	47
Tipperary South Riding - -	54	67	391	—	—	43	280
Waterford - - - - -	20	60	282	8	37	11	38
Total for Munster - - -	632	1,269	7,126	114	626	614	3,416
Total for Ireland - - -	1,056	3,781	19,503	181	992	2,065	10,958

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SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
PROBATE COURT No. 1,
Friday, 3rd May 1889.

MR. CHARLES STEWART PARNELL recalled and further cross-examined by the
ATTORNEY-GENERAL.

60,444. Now, Mr. Parnell, I have to call your attention to a few more extracts from the “Irishman” newspaper at a later date than that at which I had arrived last night—the 5th of April 1884.

“OUR RESOURCES OF RESISTANCE.”

“The seed scattered by Mitchell has fructified, and will continue to bear fruit in season. We have been thinned unmercifully, but if we are less at home we are more abroad. . . . We see no signs of faltering in our ranks; and though we march in sections by different roads, all are tending towards the one goal, and all are contributing something towards ultimate success. Beyond the Atlantic we have a staunch and powerful ally, with vast resources, with the daring courage begotten of freedom, and ready to strike wherever a telling blow can be delivered. What Irish-America called do on the high seas, the life of Paul Jones is there to tell.”

Does that article strike you as being an encouragement to the use of physical force?—Of course. I condemn the general tone of that article, as well as particular passages in it. I consider that there are passages in it that may be interpreted in that direction.

60,445. I want you to answer my question distinctly in the first instance, whether passages in that article, in your opinion, would have a tendency to encourage the use of physical force?—I think there are passages in it having that tendency.

(*Sir C. Russell.*) Is that all of it.

(*The Attorney-General.*) The early part of the article sneered at Mr. O'Connor, and expressed gratitude to “Young Ireland.” I put all I have in.

(*The Witness.*) I may explain that I find since last night that I was in error in imputing the editorship of this paper to Mr. O'Brien. The editor was Mr. James O'Connor, whom we received from Mr. Pigott's staff in the “Irishman.” I find we—

60,446. Forgive me. I must interrupt you. When do you say you ascertained this. Do you mean that somebody has told you this?—I mean it has come to my recollection.

60,447. You recollect it?—I recollect it.

60,448. You said you had ascertained it. Have you had any conversation with anybody about this?—Certainly I have.

60,449. Who?—I have had a conversation with Mr. Davitt.

60,450. Anybody else?—I cannot recollect at this moment anybody else.

(*Sir C. Russell.*) I mentioned it to you.

(*The Attorney-General.*) I have no recollection of anything of the kind, and certainly James O'Connor's name I have not heard mentioned till this moment.

(*The Witness.*) I suggested to Mr. Davitt that these articles were very unlike anything which Mr. William O'Brien could have written, and could he have been the editor? Could Mr. James O'Connor be the editor and Mr. Davitt concurred in my recollection that Mr. James O'Connor was the editor?

3 May 1889.]

CHARLES STEWART PARNELL.

[Continued.]

60,451. Was Mr. James O'Connor also on the staff of "United Ireland?"—I do not think he had anything to do with "United Ireland."

60,452. I must ask you, and press you upon it, and ask you to answer my question distinctly: Was not Mr. James O'Connor on the staff of "United Ireland?"—I am not aware that he was. He is on the staff of "United Ireland" now.

60,453. So I understand you to say he was not on the staff of "United Ireland" from 1881—on the staff of the paper from August 1881 up to 1885?—You understand me to say that Mr. James O'Connor was the editor of that newspaper at the period when these articles were written.

60,454. That is not my question. Will you pledge your word that Mr. James O'Connor was not on the staff of "United Ireland" and writing for "United Ireland" during four years from August 1881 to 1885?—I had no information about that.

60,455. Will you undertake to say he was not?—I had no information, and cannot undertake to express any opinion one way or the other.

60,456. They were printed at the same offices, were they not?—Printed at the same offices.

60,457. And as far as you know, Mr. Parnell, can you tell me any fact within your own knowledge which leads you to believe there was any different staff applied to the printing and publication of the "Irishman" and of "United Ireland"?—I do not know anything about the staff of these newspapers. I only know that there were the two newspapers, that "United Ireland" was edited and conducted by Mr. William O'Brien, and "United Ireland" was the paper that my attention was directed to, and that the "Irishman" was kept going for the purpose of giving occupation to Mr. James O'Connor, and also to prevent the necessity of reducing the staff, which we had received from Mr. Pigott, in other directions.

60,458. As you have said that, I put this question to you now. Do you know whether many paragraphs of the same character as those which I have read from the "Irishman" appeared in "United Ireland" both before and after the death of the "Irishman"?—I cannot say as to that. I have never seen a single copy of the "Irishman" since we purchased the concern from Mr. Pigott.

60,459. Kindly attend to my question?—My attention was entirely directed, so far as my attention was directed at all, to "United Ireland."

60,460. That is my question. In consequence of your answer, I will put my question, and I press it again. Your attention was mainly directed to "United Ireland," and you saw it from time to time?—Yes.

60,461. "United Ireland"?—Yes.

60,462. Can you tell my Lords now, whether it is a fact or not, that in "United Ireland," both before and after the death of the "Irishman," there appeared paragraphs as violent and of the same character as those I was reading yesterday?—I could not say, without comparing the files of the two papers.

60,463. Will you undertake to say there were not?—I do not undertake to say anything about it, but I will say that, with regard to "United Ireland," paragraphs and articles have often appeared of a stronger character than I could have approved, from time to time, and they appear to this day.

60,464. Have you ever, directly or indirectly, repudiated them, either in public speech or writing?—I have often remonstrated with Mr. William O'Brien about the paragraphs in this paper.

60,465. I never asked you about remonstrances with anybody: I asked you whether you had ever repudiated either in public speech or in writing any of the utterances in "United Ireland"?—Not at all. It has not been my habit to repudiate the least in the world, in public speech any opinion of the utterances of my colleagues of which I disapprove, and I submit that that would not be the way to bring about the alteration that I desired. My habit had been to remonstrate privately with those gentlemen where I considered they exceeded in language or in action, and to endeavour to effect an alteration by persuasion and by private advice. I considered that that was my duty as the leader of the party.

60,466. You have explained to the Court this morning the results of your night's reflection and consultation with Mr. Davitt—Mr. James O'Connor, is it?—Mr. James O'Connor.

3 May 1889.]

CHARLES STEWART PARNELL.

[Continued.]

60,467. Was the editor of the "Irishman," and is still on the staff of "United Ireland"?—Yes, still in the employment of "United Ireland," and I wish also to add that I was under the strong impression yesterday, when the learned Attorney-General cross-examined me about the "Irishman," that it had ceased to exist about a year after we purchased the concern from Mr. Pigott, and I so stated, and it was a revelation to me to find that the paper had continued in existence for the years following. I had not the slightest idea that it was in existence after the end of 1882, when I have a distinct recollection of advising and requesting Mr. O'Brien to drop its publication.

60,468. You say it is a revelation to you. There are many others who will be witnesses, we will see whether it will be a revelation to them or not. Now, you say you have a distinct recollection of advising Mr. William O'Brien at the end of 1882?—At the end of 1882, when I went over to Ireland to commence the working of the Arrears Act.

60,469. Will you kindly listen to me, and be good enough, if I may be allowed to ask you again, to answer my questions distinctly. Was Mr. William O'Brien one of the leaders of the people?—Undoubtedly, a most distinguished leader of the Irish people, and a very true and loyal colleague of mine.

60,470. A man to conjure with in Ireland?—Yes.

60,471. Beloved by the people?—Undoubtedly.

60,472. Regarded as being a man who would only teach them proper doctrine?—That is the judgment of those who read what he said.

60,473. But regarded by the people as a leader whom they would follow?—Undoubtedly the people of Ireland would attach very great importance to the writings of Mr. William O'Brien—great and just importance.

60,474. And he would be looked upon as a representative of your opinions?—I consider the people of Ireland everywhere understand that Mr. O'Brien's opinions are considerably in advance of mine.

60,475. Whether in advance of yours or not, do you represent, as the leader of the party, that either directly or indirectly in public you have separated yourself in the slightest degree from William O'Brien?—Not at all, save as regards the Plan of Campaign.

60,476. That is an exception in my favour. You did separate yourself from him in that?—I stated in the House of Commons the facts of the case.

60,477. Never mind about stating the facts of the case?—I stated to the House of Commons particularly what had occurred between us privately about the Plan of Campaign. When the Plan of Campaign was published, as soon as I was able to leave my bed, for I was dangerously ill at the time, I sent for Mr. O'Brien, and told him my views about it, and, practically speaking, I repeated my views, which I communicated to him in private, afterwards in public.

60,478. Then I may take it that, except in the matter of the Plan of Campaign, you have never publicly shown any separation or signs of a separation from Mr. William O'Brien?—I think that that is the most prominent case. I doubt whether I have ever publicly intimated to the people of Ireland any expression of dissent from the general news of Mr. William O'Brien, and the general conduct from year to year of the "United Ireland" newspaper. If I had occasion to dissent radically from the conduct of the "United Ireland" newspaper, and if I considered that anything that I objected to from time to time in the newspaper was anything more than a temporary aberration or a circumstance due to the excitement of the moment, and that it indicated a determination on Mr. O'Brien's part to carry out a definite policy so much in advance of mine, that the result would be mischievous to the interests of Ireland, and to the cause of peace and order in the country, that I should undoubtedly have to consider whether the great advantage of the presence of a man of such distinguished ability as a journalist and eloquence as a speaker, in the ranks of the party, would not be counterbalanced by the disadvantage of his extreme views.

60,479. You have made a statement of which the Court can judge. Now, I must repeat my question. Speaking of Mr. O'Brien as a member of your party, do I understand you to suggest now that you have never separated yourself from him, or endeavoured to detach him from your party?—The action that I have suggested in my answer to you has never truly arisen, and I hope it never will arise. It would be a grievous calamity to the interests of Ireland.

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[Continued.]

60,480. You have told us that in December 1882 you remonstrated with Mr. O'Brien as to the "Irishman," and suggested it should cease?—I did not remonstrate with him as to the "Irishman"; the discussion was as to what we were to do with the "Irishman." It was a sort of *damnatio hereditas* which we had received from Mr. Pigott, which we had carried on for a time for the purpose of giving this employment to James O'Connor the sub-editor.

60,481. That you swear?—Undoubtedly.

60,482. That you carried on the "Irishman" to give employment to James O'Connor?—Yes.

60,483. Why did you not employ him on the new paper as you are doing now?—You have not allowed me to answer the question. You asked me whether I remonstrated with Mr. O'Brien about the policy of the "Irishman" in 1882.

60,484. I beg your pardon. I repeated your own answer. However, add anything you wish. I do not want to stop you?—The suggestion was, I think, in your question, that we were not of accord with the policy of the "Irishman" in 1882.

60,485. Were you or were you not?—I can assure you I know nothing about the policy of the "Irishman" at that or any other time.

60,486. You suggested it should stop?—I suggested it should stop when we were reorganising "United Ireland," and when "United Ireland" had been re-established after its suppression, during our imprisonment in Kilmainham, we came to the conclusion, or I came to the conclusion, it was time that the "Irishman" should be stopped, and that we should have alone "United Ireland," which could now afford full employment to the staff of the newspaper, owing to its increased circulation.

60,487. Then what I understand you now to say is, that it had been your intention privately to let the "Irishman" die a natural death if it could, and let your own "United Ireland" paper hold the field?—Undoubtedly "United Ireland" was the paper.

60,488. I must put this to you, as you have now referred to this incident in 1882, are you aware that on every copy of the "Irishman" appeared down to the last issue, which was on the 28th of February 1885, which is two and a quarter years after the time you have mentioned:—"Printed and published at the office 33 Lower Abbey Street, Dublin." Were those the Land League offices, 33 Lower Abbey Street?—No I think not.

60,489. What were they?—They were the offices of the "Irishman" and "United Ireland"; they were both in the same office.

60,490. "By William O'Brien, to whom all communications should be addressed"?—No, I am not aware of that. My belief is that Mr. James O'Connor was the editor of the "Irishman."

60,491. I understood you to say, Mr. Parnell, that you mean now to represent that from 1882 to 1885 you were ignorant of whether your wishes as regards the death of the "Irishman" had been carried out?—Absolutely. And I assumed as a matter of course that the paper had been dropped. It was a matter I attached very little importance to at any time.

60,492. James O'Connor was a convicted Fenian, was he not?—I think it is possible that he may have been so.

60,493. I must put it to you now, as you thought fit to interpose this explanation in the middle of the reading of the extracts, is that your letter circulated from the House of Commons of the 30th July 1881? [*Handing same to witness.*] Kindly identify it first. It is a lithographed circular sent throughout Ireland?—Yes; may I read it?

60,494. No, I will read it to you. Is that your letter?

[*Letter handed to the Witness.*]

Yes, undoubtedly. I have not read it all through, but I have no doubt it is my letter. I merely wanted to read it.

60,495. You shall have an opportunity of reading it. I have no doubt you will read it better than I. "House of Commons, 30th July 1881"—you meant that to go to all the branches of the Irish National League?

(*Sir C. Russell.*) Irish National Land League.

(*The Attorney-General.*) Land League—we have all fallen into the same error.

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[Continued.]

“ Dear Sir,—I have become aware that a company has been formed for the
 “ purpose, among other objects, of starting a penny weekly newspaper which will
 “ aim at representing in a thorough and determined manner the spirit of agrarian,
 “ industrial and national self-reliance which is now abroad in Ireland. The paper
 “ will be called ‘ United Ireland,’ and its management has been undertaken by
 “ Mr. William O’Brien, whose character as an Irish journalist, and whose experience
 “ as special land commissioner for the ‘ Freeman’s Journal,’ peculiarly recommend
 “ the new journal to the favor of the Irish National Land League, and of all our
 “ countrymen who look to the development of native industry and the consolida-
 “ tion of the Irish nation. I have no hesitation in saying that individually, I
 “ regard the publication of ‘ United Ireland ’ as an important gain to our cause,
 “ and without prejudice to any other National journal, I should be glad to see
 “ our friends through the country exerting themselves to place the new under-
 “ taking fairly before the public.—I am, Dear Sir, yours faithfully, Charles
 “ S. Parnell.—To the Honorary Secretary, Branch I. N. L. L.”

60,496. You do not deny that the “ Irishman ” had been a national journal up to that date?—I think it may be called so with the exception of the years mentioned in my reply to you last night, some years before we bought the newspaper it certainly could not be called a national journal, but the reference in that paragraph is not to the “ Irishman,” but to the “ Nation.”

60,497. You have not mentioned any paper, you have said “ without prejudice to any other national journal.” Do you mean to represent that these being the words —“ any other national journal ”—the “ Irishman ” being kept going at that time, that the advanced section would not regard the “ Irishman ” as included among the words “ any other national journal ”?—I do not know what the advanced section would regard, and in writing those words I had not in view the advanced section at all. I had in view T. P. Sullivan, editor and proprietor of the “ Nation ” and his readers, who, I think, had every reason to feel annoyed that the funds of the Land League should be used for setting up what was undoubtedly an opposition paper to his, and which eventually ruined his paper.

60,498. You say “ It has come to my knowledge the company has been formed ”—you were the principal shareholder?—Yes.

60,499. You had 237 shares?—Yes.

60,500. Now let me read to you in connexion with your answer, all the first proprietors—“ Patrick Egan, 237 shares; Charles S. Parnell, 237; Joseph E. Kenny, 10; J. G. Biggar, 10; William O’Brien, 2; Justin McCarthy, 2; and Richard Lalor, 2.” Did they buy out the “ Irishman,” the “ Flag of Ireland,” and the “ Shamrock ”?—Undoubtedly.

60,501. Did they continue the “ Flag of Ireland ”?—I cannot say.

60,502. Do you represent to my Lords that the “ Flag of Ireland ” was continued or not?—I cannot recollect. It is possible that the “ Flag of Ireland ” should be continued to this day, but I do not know.

60,503. Did they continue the “ Shamrock ”?—I think so, but I cannot speak positively.

60,504. Was not the “ Flag of Ireland ” discontinued at once?—I do not know.

60,505. And “ United Ireland ” took its place?—I cannot tell you.

60,506. Will you swear that is not the fact?—I have no information upon the subject. I think it is very likely.

60,507. Did the “ Shamrock ” die at once, its place taken by “ United Ireland ”?—I do not know, but I should not be surprised if the “ Shamrock ” is still in existence.

60,508. You know that?—I do not know that. I am inclined to think that the paper is continued for the amusement of young people—it may be the “ Shamrock ” or the “ Flag of Ireland ”—it is continued for youthful readers.

60,509. The “ Flag of Ireland ” was also a Nationalist paper?—Yes.

60,510. Not so advanced as the “ Irishman ”?—That I cannot tell you.

60,511. Do you positively represent you do not know?—I did not know the shades of difference between the “ Flag of Ireland ” and the “ Irishman ” prior to our purchase of them. I know nothing about those three papers since the purchase.

60,512. Be that as it may, the explanation you now give for keeping up this infamous print, was the desire to employ James O’Connor when you could have employed him on

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the new staff?—That is the reason why the “Irishman” was not suppressed or its publication not at once stopped, when we started “Unittd Ireland.”

60,513. What was James O'Connor's salary?—Something very small—I do not know.

60,514. You cannot tell me?—I cannot tell you. Mr. O'Brien will be able to give you these details.

60,515. It was small?—I should think so.

60,516. You told us yesterday that the paper that was to be kept up for Mr. James O'Connor—?—And the others of the staff I have already stated.

60,517. Was being continued at a loss?—Yes, undoubtedly.

60,518. Was “United Ireland” producing a considerable profit?—At one time it has produced a considerable profit—I doubt at first that it was producing any profit at all—I cannot tell you when it commenced to pay.

60,519. Having “United Ireland” in the office upon which these gentlemen could have been employed, except for the purpose of appealing to a certain section we will not discuss—what object could you have in keeping up the “Irishman”?—I have already told you the object and the true object.

60,520. Now I must go back to the passage when you interrupted me in the “Irishman” of 10th May 1884.

“A Liverpool paper in an effort to convict Daly before he was tried bears
“unconscious testimony to the value of the dynamite bombs manufactured for the
“Rossa party in America.”

This you will remember has been read from the “Irish World”—

“Having stated that Daly's bombs”—

(*Sir C. Russell.*) Kindly tell us whether this is an article.

(*The Attorney-General.*) I believe it is an item of news—I believe it is under the heading “History of the Week.”

“Having stated that Daly's bombs were clearly intended for the destruction
“of human life, the journal says the experiment made by Colonel Majendie
“proved that if exploded in a crowd of men they would spread certain death
“for a considerable distance round, O'Donovan Rossa will shake with delight at
“this evidence of the destructive power of his machines. ‘A machine of this
“kind could be concealed in the waistcoat pocket, and could be employed with
“‘ghastly effect in many an assembly of Englishmen.’”

Do you remember whether Daly was then awaiting his trial—Daly and Egan?—Which Daly do you refer to?

60,521. The dynamiter?—I cannot tell you—I cannot tell you the date of the trial.

60,522. I think it was John Daly if I remember right, but it was referred to by Sir Henry James in the course of the proceedings?—Very possibly they were. I am quite willing you should take it.

60,523. “A Liverpool paper in an effort to convict Daly before he was tried”—do you approve of that article?—It was a very disgraceful article.

(*Sir C. Russell.*) It is not an article.

(*The Attorney-General.*) I stated what was my information. My Lords, it is called the “History of the Week,” and they appear to be editorial.

Comments on various questions that have occurred.

60,524. Do you really think that is an article to discourage the use of dynamite?—No I think it has rather a tendency to encourage it.

(*Sir C. Russell.*) The paper which my friend has read has inverted commas in the extract from the daily Liverpool paper.

(*The Attorney-General.*) I beg your pardon—certain parts of it only.

(*Sir C. Russell.*) I say the parts beginning “if exploded in a crowd of men” and ending with “round.”

(*The Attorney-General.*) A certain part is in inverted commas—if your Lordships will allow me to hand it up—beginning with the words Colonel Majendie proved, then the quotation begins “that if exploded in a crowd of men they would spread certain death
“for a considerable distance round.” If your Lordships think I should have called attention in the reading of it to that.

60,525. Do you think, assuming a number of the advanced section would read that article, that they would be struck by the inverted commas?—I should think not—it is

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most objectionable. If it was a quotation it was a most objectionable quotation to make. If it was an article it was a most objectionable article.

60,526. And most reprehensible?—And most reprehensible.

60,527. And one which would be considered anything but to disapprove of dynamite. —Then the Irishmen 10th May 1884.

“ ON TREASON—HISTORY OF THE WEEK.

“ After many secret inquiries held in a room in the prison, from which the press was excluded, the Tubbercarry prisoners were on Monday brought into open court for the first time. The indictment was not for conspiracy to murder only, but for treason—felony chiefly, the accused being charged with conspiracy to dethrone Victoria from her title of Queen of Ireland and to establish Republican government, instead of her abominable atrocious and unmitigated despotism. How many Irishmen will say that this charge is treasonable to Ireland.”

There are no inverted commas in this—do you regard that as being constitutional?—No, I do not.

60,528. Do you regard it as anything else than an appeal to the physical force section and throwing contempt upon the Government of the Queen of England as a power, and the establishment of a Republic in Ireland?—It certainly is an attempt to throw contempt upon the Government of the Queen.

60,529. Do you know, do you know now, one way or the other whether that was the direct object of the oath of the Fenian Brotherhood?—I have already told you I did not know anything about the oath; but I should think it is very probable it was the object. It is notorious the object of the Fenian Brotherhood was to overthrow the authority of the Queen in Ireland, and bring about a separation of the two countries by force of arms.

60,530. You have given a very fair description. You preface your answer by saying that you know nothing about the oath. Have you read Le Caron's evidence?—I regret to say I only read that portion of it which refers to myself personally.

60,531. You have read part of it respecting Alexander Sullivan and the Clan-na-Gael?—I think I was in Court when some of that was given.

60,532. When you said you knew nothing about the Fenian oath do I understand you to say that you do not know what has been proved about the Fenian oath in this court?—I have not followed that particular part of the proceedings.

60,533. This is “THE IRISHMAN,” MAY 24th 1884, PAGE 749:—

“ A man named Ryan, of Mayree, Ennis, was fired at on Monday night, but was not hit. The reason alleged for the attempt to murder him is that he gave evidence against the Crusheen ‘conspirators’ as they were called by the Crown prosecutors.”

Now this is a question, and a note of interrogation at the end,—

“ It is not an incomprehensible fact that people who back up the English Government in this country are regarded by the Irish people as rats that should be exterminated ? ”

Do you approve of that article?—Certainly not.

60,534. Do you represent that that is an article which would tend to a constitut movement?—I should think not, certainly.

60,535. The “Irishman,” 28th June 1884, the page is not given me I am sorry to say, I think it is under the same heading “History of the Week,” which is a heading which appears to have been given every week, for there are paragraphs called “History of the Week.”

“ James Stephens' alleged proposal for a convention of Irish Nationalists is laughed at in America. What the old man suggests now-a-days is profanely ridiculed by the stupid fools of this generation. The answer that Chicago gives to the mature and concentrated wisdom of Mr. Stephens' plans is that during the Democratic Convention it will hold a mass meeting to collect money for the dynamite gentlemen.”

Stephens had always been in favour of open warfare in the field?—I believe so.

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60,536. That was your historical knowledge altogether?—He was the original organiser of the Fenian movement.

60,537. This article describes Stephens' question, and gives the answer.

“The answer that Chicago gives to the mature and concentrated wisdom of

“Mr. Stephens' plans is that during the Democratic Convention it will hold a mass

“meeting to collect money for the dynamite gentlemen.”

Do you regard that as an article in support of dynamite or not?—I should think it would have that tendency. It might be interpreted in that way. Of course I do not profess to pass any opinion upon it.

“‘IRISHMAN,’ AUGUST 9th, 1884.

“We sincerely sympathise with Mrs. Egan, who has been foully robbed of

“her husband by an unscrupulous and vindictive sentence.”

Was Egan convicted of being a dynamiter?—Evidently he was. I have no knowledge of it.

60,538. I believe he was tried at the same time?—Very possibly.

(*Sir C. Russell.*) I am told he was not a dynamiter.

(*The Attorney-General.*) Pardon me; you must excuse me——

(*Sir C. Russell.*) I would ask you to inform yourself as you go along.

(*The President.*) You put the question, and Mr. Parnell said he did not know.

60,539. (*The Attorney-General.*) Do you know what Egan was charged with?—I do not know.

60,540.

“As for John Daly, his friends look upon him as a daring soldier, and they

“will be glad to know from the touching letter to his mother that like a soldier

“he will bear the enemy's vengeance until death comes to his relief.”

Mr. Parnell, you know that Daly at any rate was tried for being a dynamitard or dynamiter?—Yes, he was tried and convicted of having bombs in his pocket which, it is suggested, were going to be thrown down on the floor of the House of Commons, which would probably have had an equal effect all round.

60,541. That may be a very amusing answer to give——?—And he has also, as I know, been a constant, and avowed, and most determined enemy, first of all of Mr. Butts' movement, and then of my movement for many years. Upon one occasion at a meeting at Dumbarton, near Glasgow——

60,542. Were you there?—I was there, yes, undoubtedly, at Dumbarton, near Glasgow. He brought down a band of armed men from Glasgow and violently attacked the meeting, put a stop to it, and interrupted my speech, denounced us all, made his speech, and then, happily for us, drew off his force, and left us in peace.

60,543. What was the date of this?—In 1877.

60,544. 1877?—Yes, 1877 or 1878.

60,545. Is there any overt act at which you were present in connexion with John Daly since 1877 of the same character?—I am very glad to say there is not. My notion about him is that he was constantly opposed to the Land League movement, constantly and consistently from its start up to the date when he was arrested and convicted.

60,546. Now, I must call your attention to this, as you have said that the “Irishman” says, “As for John Daly his friends look upon him as a daring soldier.” Now this you know is a paper published under the circumstances we have referred to. Do you represent that that would be regarded as being antagonistic to John Daly?—Certainly it would not.

60,547. Or as being regarded as antagonistic to the policy or the gross and infamous conduct of which he was guilty, of being about with bombs in his pocket?—I should think not.

60,548.

“And they will be glad to know from the touching letter to his mother that

“like a soldier he will bear the enemy's vengeance until death comes to his

“relief.”

By “enemy's vengeance” would mean the Government that convicted him; you would so regard it?—Yes.

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60,549. I put it to you, do you not admit that that article would be regarded by the Fenian or physical force party as testimony that persons guilty of that conduct would be held up to the approval of their countrymen, and not disapproval?—I should think it might be interpreted in that direction. It is capable of that interpretation.

60,550. Did you see John Daly after 1877?—I should think not.

60,551. Will you swear that?—That is my impression.

60,552. You have spoken of this man breaking up your meeting in 1877. You are not entitled to put your impression upon me, but I will ask you will you swear you did not see John Daly——?—To the best of my belief I have not seen him from that day to this.

60,553. Will you swear that?—To the best of my belief I will swear I have never spoken to him from that day to this.

60,554. Do you know whether he was from time to time, sir, in 1879, in the company of Egan—Mr. Patrick Egan?—I should think most certainly not; no, I never heard of it.

60,555. John O'Connor?—Which John O'Connor.

60,556. The Member of Parliament?—I should think certainly not.

60,557. William O'Brien?—I should think not.

60,558. Was not that very many John Daly a Land League organiser?—No, he never was. He never had any connexion with the Land League.

60,559. That you swear?—I am absolutely certain of it. You are confusing him with some other John Daly.

60,560. Never mind whether I am confusing. I put the question to you, please. Now, the "Irishman" of the 6th September 1884, page 153.

"This little island, weak though it may appear, would prove the most formidable enemy against Great Britain. Our banished millions would rally round the green flag with muscle, brain, and money. The ensign of Irish nationality would fly triumphantly at the masthead of many an Alabama, and the ocean would be swept of English commerce. At home a war would at first be one of defence—refusing supplies of men and material, and our coast lines and harbours would bristle with torpedoes. In such a war Irish soldiers would rather be shot than fight for the enemy of civilized mankind. What the Frenchman hints at would be the world's war against the world's enemy, for, he says, mankind is sick of English duplicity, of her perfidy and arrogance. 'All this must come to an end. The interest as well as the opinion of the universe is opposed to it. The English Empire is an immense prey to be seized upon and parcelled out.'"

That is a quotation. Then the paragraph goes on.

"May the day soon arrive when the world will square accounts with the assassin of the nations."

Does that strike you as being an article inviting to constitutional agitation?—I consider it a most condemnable article.

60,561. And you highly disapprove of it. Had there been associations formed called Gaelic Athletic Associations?—Yes, I believe so, numerous associations.

60,562. Are you president of a good many of them?—I believe I am president or patron of the whole of the body.

60,563. Supposed to be athletic associations, I believe?—I believe they are athletic associations.

60,564. Beyond being the nominal president or representative, have you had anything to do with them?—No, I have not had anything to do with them. My connexion has been only nominal.

60,565. November 8th, 1884, page 297.

"If any two purposes should go together they ought to be politics and athletics. A political people we must be; the exigences of our situation force us in to a perpetual war with England. Her repressive and oppressive measures keep us eternally on our defence. While fighting the enemy in the byways, which are called constitutional, we must also maintain a certain degree of readiness to meet our enemy in the field when the occasion offers. Our politics being essentially national, so should our athletics. We must maintain a stout physique, and cultivate a hardy constitution. A townsman, unexercised in the field, is stiff-limbed, short-winded, and unable to endure hardship and privation

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“ privation. In fact, he cannot suffer and be strong. This defect would tell heavily against the townsman in a war with any organised army.

* * * * *

“ Why has not every National League Branch its athletic club? A Gaelic Union Athletic Association has been well started at a meeting in Thurles on Saturday, and it should spread all over Ireland in a month. It will be wholly free from all Saxon associations of the kind—entirely independent of the London clubs that presume to ‘boss’ athletics in Ireland, as everything else is in this country is ruled from that side of the water. The branches of the National League in Great Britain ought to organise athletic and gymnastic clubs, and have them affiliated with the parent stem in Ireland. In every way possible we should separate ourselves from the English, maintaining our positions as a distinct nation. Mr. Michael Cusack, of Dublin, has started this Gaelic association and it ought to succeed.”

Now the 24th January 1885.

(*Sir C. Russell.*) The end of that you may as well read. I do not think it is very important.

(*The Attorney-General.*) By all means.

(*Sir C. Russell.*) Well, I do not think it is very important.

(*The Attorney-General.*) I have only three more, I am glad to tell your Lordships. 24th January 1885. I do not know whether the heading is “John O’Leary in Dublin,” but it is printed in large type in my copy and it may be. I think the heading is “Mr. John O’Leary in Dublin.” I will ask you to attend to this, Mr. Parnell.

“ Had we a choice, none of us would hesitate to take the shortest and manliest road to liberty, cutting our way with the sword through the solid ranks of our adversary.

“ Although the present circumstances offer us immediate promise of a fight at close quarters, every Irishman feels that, sooner or later, the last blow must be delivered on the plains and under the broad canopy of heaven. To lead up to the final struggle we are advancing by zigzag approach, sapping and mining our way onwards, until we touch the very walls of the enemy’s citadel. And this is the interpretation of the (*sic.*) storm of cheers which saluted Mr. O’Leary’s appearance on the Rotunda platform. For Ireland’s sake, and for what is justly due to Mr. O’Leary’s lofty devotion to motherland, we were proud of the welcome home he received from the citizens of Dublin. No stronger proof of the immutability of the Irish resolve to cut the connection with England might be looked for. It was the man of ’65, who stood in the dock proudly defying Ireland’s foes, that was applauded by the thousands packed in the Round Room. As the representative of physical force, in which cause he suffered six years of penal servitude and thirteen years in exile, Mr. O’Leary got an overwhelming ovation.”

60,566. I need scarcely ask you whether you regard that as an appeal to constitutional action?—No, I regard that as an article opposed to my policy and declarations.

60,567. Whether opposed to your policy or not, as an article which would incite to physical force instead of disapproving it?—As an article which contemplates an eventual recourse to physical force, and does not even take the trouble to place any reliance on the constitutional movement.

60,568. And deals with what is going on as being a “sapping and winning our way way onwards, until we touch the very walls of the enemy’s citadel?”—They would appear to intend to use the constitutional movement for that purpose.

60,569. And calls what is at present going on a byway?—Evidently.

60,570. Do you approve of that?—I do not. I have already told you it is an article which is opposed to my policy, and I should say written by an opponent of my policy.

60,571. Written by an opponent of your policy?—Yes.

60,572. Appearing in the “Irishman” newspaper?—Appearing in the “Irishman” newspaper.

60,573. Published by Mr. William O’Brien?—Nominally published by Mr. William O’Brien.

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[Continued.]

60,574. Do you suggest then that this is written by James O'Connor of *malice prepense*?—I doubt whether that particular article was written by Mr. James O'Connor.

60,575. You have said written by some opponent of your policy?—I think so. I think that article must have been written by some specific opponent of my policy which I have in view in my mind. I only state that opinion from the nature of the article.

60,576. Do you suggest that the management of this paper, kept alive solely for the purpose of producing money to pay James O'Connor and others, is entrusted to somebody without any supervision at all?—It evidently was—undoubtedly.

60,577. And that man opposed to your policy, a convicted Fenian?—Mr. James O'Connor, yes; I think he was convicted; but I am not particularly acquainted with his history.

60,578. If you suggest that is written by someone else, you have somebody in your mind. Who do you think wrote it?—I think it is very possible that article was written by Dr. Sigerson. It looks something like his style.

60,579. Who was he?—He was a distinguished Irish nationalist and journalist in the old times.

60,580. In connexion with what?—And he was a member of the Royal Commission to inquire into prison treatment in 1885.

60,581. An Irish journalist connected with what journal?—And he was also a physician in Dublin.

60,582. Kindly attend to me?—He was leader-writer on the "Irishman" before we purchased it—a constant leader-writer, I understand.

60,583. Before you purchased?—Yes.

60,584. A man of position?—A man of very distinguished ability.

60,585. Now the "Irishman," 31st of January 1885:

"With all their spies and detective agencies in every part of the world, the English Government must be unable to get any really valuable information as to the movements of the Irish Republicans. Thousands upon thousands a year are spent upon secret police; and what is the result of it all? Explosions every other week, some of them at the very door of their detective head office in London."

It follows from what you have said that the Irish Republicans would at any rate represent the party, if there was such a party, who desired to terminate the dominion of the Crown and to establish a republic?—The Irish Republican Brotherhood would represent undoubtedly a portion of that party.

60,586. And the generic term the Irish Republicans would include them?—I should think so, yes.

(*Sir C. Russell.*) Just read the end of that, will you?

(*The Attorney-General.*) I have not got it. Will you read it?

(*Sir C. Russell.*) It says—

"Thousands upon thousands a year are spent upon secret police, and what is the result of it all? Explosions every other week, some of them at the very door of their detective head office in London."

(*The Attorney-General.*) That I read.

(*Sir C. Russell.*)

"The bureau in Paris is simply a swindle, a make-believe business which turns in large sums of money to Monsieur Bourdier and Madame Mongret. This pair of sharpers are living a jolly life upon the credulity of Jenkinson at the Home Office."

(*The Attorney-General.*) Very well, I am obliged to my learned friend for having read that.

60,587. Mr. Jenkinson, I think, was connected with the Home Office, was he not?—Yes.

60,588. Did you know him?—I do not think I have ever met Mr. Jenkinson.

60,589. I call your careful attention to this, Mr. Parnell, the 7th of February 1885. Before I put it, I think I ought to ask you a question.

(*The President.*) Was that of the 31st of January you read?

(*Sir C. Russell.*) Yes, the 31st of January.

(*The Attorney-General.*) The conclusion of that paragraph.

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CHARLES STEWART PARNELL.

[Continued.]

60,590. I ought to ask you a question. Have you looked, since I cross-examined you, for any utterance of yours denouncing dynamite?—There are searches going on (they are not being made personally by myself), in different directions for the purpose of supplying you with the detailed information that I promised to try and obtain for you with reference to specific points during your cross-examination.

60,591. Forgive me. I am much obliged to you. In answer to my question, there are searches going on in different directions?—Yes.

60,592. You mean by friends of yours?—Yes, in “Hansard” and other directions.

60,593. You at any rate have not, thinking over this matter and applying what time you have had to it, been enabled by this morning to produce any denunciation of dynamite?—I am inclined to think that I specifically denounced Mr. Finerty later on, but I will not pledge myself to it until we have actually found the passage.

60,594. Nor to the date?—I shall probably be able to give you information later on.

60,595. This is the “Irishman” of the 7th of February 1885. It is page 509. I think it is under “The History of the Week.” This is as late as the 7th of February 1885.

“Still the English papers howl at Mr. Parnell for not denouncing the dynamite people. Mr. Parnell’s silence is a proof of his statesmanship, and one of the best evidences he could give of his sagacity. It is none of his business to take Irishmen to task for their ways and means. Let the English look to themselves and do their own work. We hope Mr. Parnell will never utter one word to gratify English screechers. To rail at the man upon whom they have heaped abuse for not helping them is the meanest kind of poltroonery. The English press has for seven years never ceased to pour out its dirty vituperation upon the head of the Irish leader, and now it impudently calls upon him to condemn the dynamitards. Verily Mr. Parnell has his revenge.”

Do you approve of that article, Mr. Parnell?—Certainly not. The writer of that article evidently wished to represent what was not the fact regarding me.

60,596. Namely what?—That I had not disapproved of or denounced the dynamite party in America.

60,597. Then I understand you to say that the writer of that article meant to represent that you had not expressed disapproval of dynamite, which was not the fact?—Precisely, yes.

60,598. Very well, we will go by steps please. You observe it expresses approval of that conduct?—Undoubtedly.

60,599. You observe it says, “Mr. Parnell’s silence is a proof of his statesmanship”?—Yes.

60,600. “One of the best evidences he could give of his sagacity”?—That is the opinion which the writer evidently wishes to have believed.

60,601. Could you trace the hand of the writer in that?—I do not trace Dr. Sigerson in that.

60,602. I did not say Dr. Sigerson, sir. There is no object in putting that upon me. Do you trace the hand of the writer?—I do not wish to express any opinion as to who the writer is.

60,603. Do you trace the hand of the writer or not?—I have no means of tracing the hand of that writer.

60,604. Now, Mr. Parnell, you have given your explanation of that article as being an article approving of your statesmanship, for not denouncing dynamite, and you say that it is untrue, because you had in fact on previous occasions denounced dynamite?—Yes, it is an untrue representation of my utterances and of my attitude, and my opinion with regard to the dynamite movement—most untrue.

60,605. And I understand you to say that no utterances of yours have ever justified such a paragraph?—Undoubtedly not. Most undoubtedly not. It was well known that I was opposed to dynamite.

60,606. Now I will ask you to listen to this speech.

(*The President.*) What date please?

60,607. (*The Attorney-General.*) The date is the 15th October 1881.

“THE DYNAMITE POLICY.

“I was forgetting a very important fact. He (that is Mr. Gladstone) has a good word for another Irishman too; he has a good word for Mr. Shaw.”

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[Continued.]

Mr. Shaw was an Irish member of Parliament, was he not?—Yes, Mr. William Shaw.

60,608.

“He has discovered there are only four or five honest Irishmen in the country, and one of those is Mr. Shaw. (Groans.) He accuses me of not having repudiated what he calls the dynamite policy. Well, I am not aware that Mr. Shaw has repudiated the dynamite policy either. But I will tell you what Mr. Shaw did, and you must bear in mind that in addition to speaking well of him as an honest Irishman, Mr. Gladstone also offered him a situation as one of the land commissioners.

“PRIVILEGED INDICTMENTS.

“Mr. Shaw did not repudiate the dynamite policy any more than I did, but I will tell you what he said 18 months ago—he said that his blood boiled whenever he saw a process-server,—(laughter)—and that he never saw one without feeling inclined to take the lynch-pin out of his cart. (Renewed laughter.) Well, now, gentlemen, if I were to say that to you to-day, Mr. Gladstone would have me in Kilmainham before three days were over.”

Undoubtedly.

60,609.

“That speech of Mr. Shaw’s was a clearer incitement to an act of violence than anything ever said by any of the men that are in any of the jails throughout the country. It is not even an honest and straightforward way of working. According to Mr. Shaw you are to take the lynch-pin out of the process-server’s cart, so that after he has driven a mile or so on the road, the wheel may come off, and he may be upset in the ditch and break his neck. (Laughter.) He had not the courage to meet the process-server openly, as many of the men and women of Ireland had done. Oh no; he would go to work in this underhand way, and take the lynch-pin out of his cart.

“A CHALLENGE.

“I challenge anybody to find in all my speeches on the land question any single incitement to any act of violence whatever—(hear, hear)—much less an incitement to such a mean, underhand, ignominious act as that which Mr. Gladstone, practically speaking, lauds, when he holds up Mr. Shaw for the admiration of the Irish and English people. (Hear, hear.)”

Mr. Parnell, do you recognise that extract?—Oh, perfectly.

60,610. Was it a speech that you delivered at Wexford?—I should think it very likely.

60,611. Have you any doubt of it?—It is a speech I delivered somewhere or other about that time.

60,612. Have you any doubt of it?—I have not the slightest doubt that I delivered the speech in that year.

60,613. The 15th October 1881, sir?—I should think it would have been about that period.

(*Sir C. Russell.*) I think it is the 9th October.

(*The Attorney-General.*) Will you pardon me, Sir Charles Russell, please?

60,614. I tell you I am reading from “United Ireland” report of your speech of 15th October 1881?—I have told you that I delivered the speech, and that I remember it very well. I have not got a list of the dates of my speeches before me?

60,615. I am referring to the report. I am told, and I accept it of course from my learned friend, that the date of the delivery of the speech, which I had not got on the paper before me, or I would have given it you, is the 9th October, but I am referring to the report. Now, had Mr. Gladstone a few days before that, in a speech at Leeds, called attention to the fact that you had not denounced dynamite?—I do not recollect at all.

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CHARLES STEWART PARNELL.

[Continued.]

60,616. What did you mean when you said "he" (that is Mr. Gladstone) "accused me of not having repudiated what he calls the dynamite policy"?—I suppose I was referring to the speech to which you refer.

60,617. Have you any doubt he had done so?—It would appear so from the extract.

60,618. "Well, I am not aware that Mr. Shaw has repudiated the dynamite policy either." Do you consider that is a repudiation of dynamite?—What he calls the dynamite policy. I had not attached much importance to the dynamite policy at that time, or believed that there was any real policy of dynamite in existence at that time. I had looked upon the explosion at Salford, first of all, as not having been connected with any secret movement at all, and then as some mere isolated thing got up by a few individuals in the neighbourhood, but I had no reason to suppose that there was any dynamite policy in contemplation at that time, either by any of the Irishmen of America, or of Ireland, or of England.

60,619. We are not dealing with the individuals who perpetrated a particular outrage or any particular outrage, but with the dynamite policy?—What Mr. Shaw calls the dynamite policy.

60,620. No, I beg your pardon; nothing to do with what Mr. Shaw calls the dynamite policy?—That is the statement in the speech.

60,621. You are not attending. Mr. Gladstone's speech. "He accuses me of not having repudiated what he—Mr. Gladstone—calls the dynamite policy"?—Well, what Mr. Gladstone calls the dynamite policy.

60,622. Now, I put this to you. Do you represent to my Lord that that is a repudiation of the dynamite policy by you?—That is an expression apparently intended to be an expression of my belief that there was no dynamite policy in existence at all at that time.

60,623. Can you point to one word in that speech suggesting there was no dynamite policy in existence?—I consider the expression "what he calls the dynamite policy" is a suggestion of an impression in my mind at the time that there was no dynamite policy in existence at that time.

60,624. That then is, in your view, a repudiation of dynamite?—It is not a repudiation of dynamite, because, as I have explained to you, I believed that there was no dynamite policy in existence at that time.

60,625. Is it or is it not a repudiation of the dynamite policy?—If I had supposed there was any dynamite policy in existence at the time, I should have repudiated it.

60,626. Have you any other explanation to give?—That is my explanation from the extracts you have read to me of the speech.

60,627. Do you approve of that speech now, Mr. Parnell?—By the light of subsequent events and subsequent information, if I had known that there was to be a movement in America in favour of dynamite, I should have certainly checked it at the very outset at that time.

60,628. Now, I again put it to you, calling to your attention that speech in 1881, calling your attention to the "Irishman" article of February 1885 (that is, three and a half years later), and to the only speech you were able to refer me to, which was in answer to Mr. Forster in February 1883, which is in evidence before my Lords, did you ever repudiate or express public disapproval of the dynamite policy?—I took the steps in the House of Commons which I have already related to you, and searches are being made through "Hansard" and in other ways to see whether I ever said anything else upon the subject later on.

60,629. Now, you say that you had no evidence or no knowledge then of there being any dynamite policy. I read an article from the first number of "United Ireland," which was in August 1881, the very first question I put to you—not the "Irishman." The first question I put in cross-examination was with reference to dynamite policy by somebody.

(*Sir C. Russell.*) By O'Donovan Rossa.

(*The Attorney-General.*) Whether by O'Donovan Rossa or not is not material for the point I am upon.

60,630. Do you know whether or not there had been articles in "United Ireland" (I will call your attention to another, of the 20 August 1881,—a large-type leader of "United Ireland") referring to the dynamite policy as an existing policy of, I think,

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[Continued.]

O'Donovan Rossa in America?—I never attached the slightest importance to the proceedings of O'Donovan Rossa in America.

60,631. It is not a question of attaching importance. You have sworn three moments ago, Mr. Parnell, that when you made that speech you did not repudiate dynamite, because you did not believe there was any dynamite policy in existence?—Quite so, yes.

60,632. In existence—it does not matter who?—Yes; I considered that O'Donovan Rossa (and I believe so still) was only talking about dynamite in order to make collections of money, and that he never originated any dynamite policy at all.

60,633. You think the real dynamite did not come from O'Donovan Rossa?—I do not believe that it, practically speaking, came from him.

(*Sir C. Russell.*) What is the date of that.

(*The Attorney-General.*) The 20th of August 1881.

(*Mr. Davitt.*) Is it an extract from an American paper?

(*The Attorney-General.*) I must protest.

(*Mr. Davitt.*) You asked the question.

(*The Attorney-General.*) I have already stated in the clearest terms a moment ago that it was a large-print article on the front page, and not a quotation from anything.

(*Sir C. Russell.*) Mr. Davitt simply asked the question. It was a reasonable question to ask.

(*The Witness.*) Knowing, as I did, my Lord, the character of O'Donovan Rossa, I did not attach the slightest importance whatever to his ravings.

60,634. (*The Attorney-General.*) However, you have made the statement, which I am glad to record, Mr. Parnell, for the purpose of future questions afterwards, that you do not believe that O'Donovan Rossa ever did succeed in perpetrating any dynamite outrages?—No, I think he only talked and wrote about it. That is my strong impression.

60,635. They came from somebody else?—I think so.

60,636. Have you any doubt they came from the Clan-na-Gael?—I doubt it very much.

60,637. Who do you think they did come from?—I should think they came from scattered organisations got up among the Irish-Americans from time to time, probably several groups, very likely acting in ignorance of each other's existence.

60,638. Now I have read a long consecutive series of extracts from the "Irishman." Prior to July 1881 had the columns of the "Irishman" (as I understand you, edited by James O'Connor, but whoever it was) attacked Mr. Davitt?—I could not really tell you that.

60,639. Will you swear?—Prior to our purchase of the "Irishman?"

60,640. Yes; will you swear you do not know that?—My impression about the "Irishman" generally is that it was a very obnoxious newspaper to us and to our movement. I have no doubt it was attacking us all, but I have no special knowledge of it because I was not in the habit of reading it.

60,641. I ask you distinctly, Mr. Parnell, do I understand you to represent that you do not know and have no recollection whether the columns of the "Irishman" denounced, or attacked rather, Mr. Davitt?—I cannot say indeed.

60,642. You never heard one way or the other?—I think it exceedingly probable.

60,643. Did the columns of the "Irishman" denounce Fenians who went into Parliament?—I think it is exceedingly probable that that was its policy.

60,644. Did the columns of the "Irishman" support the Land Bill of 1881 during its passage through the House of Parliament?—I think that is also probable from my recollection of Mr. Pigott's evidence here that he was claiming some compensation from Mr. Forster for having supported that Bill.

60,645. I have not asked you whether he claimed compensation or not. It is in evidence what happened with reference to that, but do you not know that he did as a matter of fact claim to have supported the Land Bill of 1881 in its passage through Parliament?—He claimed it here in his evidence, at least I understood him to claim it.

60,646. Do you not know that there were articles supporting the Land Bill of 1881 prior to your purchase of the "Irishman"?—If you ask me, at that time—no, I did not know.

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CHARLES STEWART PARNELL.

[Continued.]

60,647. Did not the columns of the "Irishman," or had not the columns of the "Irishman" opposed by name what was called the new departure?—I think it is very likely. The "Irishman," I should think, was opposing us and the Land League in every way.

60,648. I had better put here two matters to understand them. You have spoken more than once of your desire for more constitutional action. I wish to know distinctly, do you or do you not disapprove of physical force with a view to gain the independence or aims—whatever the aims are—of the Nationalist party?—Most undoubtedly.

60,649. Altogether?—Altogether. I have always disapproved of it from the first time that I entered political life until now; always disapproved of physical force as useless and criminal.

60,650. Whether you condemned it or not in the past, is a matter which will depend upon the view which may be taken of certain speeches to which I call attention; but, be that as it may, you now express your unqualified disapproval?—Undoubtedly.

60,651. Whatever has to be done for Ireland is to be done by purely constitutional means?—If our constitutional movement were to fail—of which I see no present prospect—I should have to consider whether I should continue in public life at all.

60,652. I have to come back to one or two little things. You said on Wednesday afternoon, when I was cross-examining you about the speech in America, that the incident about the five dollars for bread, and 20 for lead occurred in this way—I think I shall quote you fairly—that a string of people were coming past, and that a man, without your having any opportunity of saying aye or no, shouted out "five dollars for bread and 20 for lead," and it passed immediately as an unimportant incident?—That is my recollection about that incident.

60,653. And that you did not regard it as being in any way a typical incident?—Not at all, quite the contrary, by far the larger portion of the sums which we received while I was in America were for the relief of distress.

60,654. I am not asking you about the relief of distress, but you say you could not express any disapproval because it was a casual incident that passed by, and the greater part of the people did not attach any importance to it?—That is my impression.

60,655. It did not remain in your mind?—It remained in my mind evidently, because I repeated it afterwards in Dublin.

60,656. I ask you in connexion with your statement the other day, whether these are your words. Did you on the 29th April 1880, that is to say, within six weeks of the occurrence, in the presence of Mr. T. D. Sullivan:—

"The Americans sent me back with this passage, that for the future you must not expect one cent for charity, but millions to break the law system, and now, before I go, I will tell you a little incident that happened at one of our meetings in America. A gentleman came on the platform and handed me 25 dollars and said, 'here is five dollars for bread and 20 for lead.' (Loud and long cheers)."

That refers to the meeting in Dublin. This extract is taken from the "Weekly Freeman," of 1st May 1880. Did you say that, Mr. Parnell?—I think so, I am sure I said it.

60,657. Then you repeated that incident to a Dublin audience, at the Rotunda meeting, at which I understand there was a section of the physical force party present?—I think the section of the physical force party had happily left at that time.

60,658. Well, that is all the more important for me, whether they had left or not. Did you intend, in reciting that incident, to appeal to any particular section of the audience?—No, I think it was a very stupid recitation to give, and I certainly had no particular object in my head.

60,659. Why do you think it was stupid?—Because there was no object.

60,660. That depends upon the interpretation put upon it—as the result, as I understand you to say—what was the object of mentioning it at all?—As the result, I say it was a stupid, and, further, perhaps more than stupid thing to do, because there was no object—stupid because there was no object.

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[Continued.]

60,661. If you mentioned it as an incident of your tour, that a person came up and handed you five dollars for bread and twenty for lead, I ask you, in fairness, would not that, in your opinion, be construed by the physical force members in Ireland, that you had got the support of the physical force people in America?—I do not think so.

60,662. What effect do you think that would have on the minds of the people who you were addressing at that meeting?—It is quite impossible for me to say.

60,663. Did you think, at the time, it would have any effect?—I should think it would not have any effect one way or the other.

60,664. It is quite impossible for you to say what effect it would have one way or the other?—Quite impossible.

60,665. How did you interpret the “loud cheers” which followed the announcement of five dollars for bread and 20 for lead?—I cannot say about the loud and prolonged cheers. I can only speak, of course, of my own speech.

60,666. Have you any doubt that the “Freeman’s” report is correct?—There may have been cheers, and they may have been loud and prolonged; I do not know.

60,667. Do you know or not that that speech was quoted by your own Land League organiser—I mentioned his name yesterday—Boyton?—I have already stated that I did not know it.

60,668. I need not refer any more to that at present, Now, Mr. Parnell, you stated yesterday that you had not seen the Devoy letters when they appeared in the “Freeman” in 1879?—Yes.

60,669. And I understand further than that, if I understand your evidence correctly—do not let me misrepresent you—that your recollection is that you never saw these letters at all until this case?—I never saw them in such a way as to have the occurrence fixed in my recollection in any way.

60,670. That is to say, that the new departure letters of Devoy, at the end of 1878, were never fixed in your mind as having anything to do with the inception of this movement until the discussion in this case?—They are not fixed on my mind now as having anything to do with the inception of the movement.

60,671. That is not the point, that is a question for my Lords; but I understand you are prepared to pledge your word now that they were never brought to your attention as having any bearing upon this movement?—I have no recollection of their being called to my attention in that way. I know generally that Mr. Devoy was claiming credit for the formation of the Land League in America, and that others were claiming credit for its formation, and there were these disputes going on between the different sections as to whom the credit was due to.

60,672. We know from the telegram that was put in yesterday, or suggested yesterday—the telegram that you sent with reference to the supposed threat against Sir William Harcourt—that you did communicate with John Devoy with reference to that particular matter. Now, I must read to you, in consequence of your answer, a speech made by the Solicitor-General for Ireland, Mr. Johnson, on 11th January 1881, in your presence. I begin to read from “Hansard,” volume 257, column 465:—

“But it was necessary in this case to go to the bottom of the movement.

“The movement to which he referred”——

(*The President.*) Who is he?

(*The Attorney-General.*) He is Mr. Johnson.

(*The President.*) Read it again, if you please.

(*The Attorney-General.*)

“But it was necessary in this case to go to the bottom of the movement.

“The movement to which he”——

That is the speaker——

“referred had as its object the disintegration of Her Majesty’s Empire; and
“he would refer to facts in support of this position, instead of being content with
“loose and general statements. In January 1879 there appeared in a Dublin paper
“a remarkable letter, which produced a great sensation at the time, from a person
“named John Devoy, whose boast it was that he had pleaded guilty to a charge of
“treason-felony in 1867, had been sentenced to penal servitude, and after serving
“part of his time was discharged and went to America. The letter was dated

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[Continued.]

“ from New York, and was headed ‘Manifesto of the Council of the I.R.B.’
 “ Those cabalistic words, as well-known in Ireland, meant the Irish Republican
 “ Brotherhood. Of course, at that time the Irish National Land League had no
 “ existence whatever under that name.”

(Mr. Parnell.) What is the date of the letter?—

“ It was dated the 11th December 1878, and was published in the ‘Nation’
 “ on the 4th January 1879 (see page 2773), with the announcement that it had
 “ been addressed to ‘The Freeman’s Journal.’ ”

At the outset of that document Mr. Devoy wrote :—

“ ‘ The question whether the Advanced Irish National Party—the party
 “ ‘ of separation—should continue the policy of isolation from the public life
 “ ‘ of the country, which was inaugurated some 20 years ago by James
 “ ‘ Stephens and his associates, or return to older methods—methods as old,
 “ ‘ at least, as the days of the United Irishmen—is agitating the minds of
 “ ‘ Irish Nationalists on both sides of the Atlantic just now. The object
 “ ‘ aimed at by the Advanced National Party—the recovery of Ireland’s
 “ ‘ national independence, and the severance of all political connexion with
 “ ‘ England—is one that would require the utmost efforts and the greatest
 “ ‘ sacrifices on the part of the whole Irish people.’ ”

Mr. Devoy then went on to show how and why the Repealers and Nationalists had failed, and went on to write :—

“ ‘ As the battle of Irish freedom must be fought outside Parliament,
 “ ‘ and as Home Rulers, Repealers, and Nationalists all call the form of
 “ ‘ autonomy, they desire self-government, there should be nothing to prevent
 “ ‘ them agreeing on a common platform.’ ”

You notice the collocation of the words are the same as in your letter that I read to you yesterday, Mr. Parnell—“ Home Rulers, Repealers, and Nationalists”—it puts in the three sections?—I notice that, yes.

60,673. Then it goes on :—

“ Now, what was Mr. Devoy’s idea of this common platform? He
 “ proceeded :—

“ ‘ No party or combination of parties in Ireland can ever hope to win
 “ ‘ the support of the majority of the people, except it honestly proposes a
 “ ‘ radical reform of the land system. No matter what may be said to be in
 “ ‘ favour of individual landlords, the whole system was founded on robbery
 “ ‘ and fraud, and has been perpetrated by cruelty, injustice, extortion, and
 “ ‘ hatred of the people.’ ”

“ He prayed the attention of the House to the following passage, as he
 “ intended to show the similarity of the language with that of speeches subse-
 “ quently delivered ” :—

“ ‘ Let the Irish landlords be given a last chance of settling the Irish
 “ ‘ land question amicably in this manner, or wait for a solution in which they
 “ ‘ shall have no part.’ ”

“ At the time this letter was published the Conservative Government was in the
 “ plenitude of its power, and must have been perfectly aware of the letter, which
 “ created great excitement in Ireland, but no notice was taken of it.”

I pause to put a question, do you now adhere to your statement, Mr. Parnell, that Devoy’s letter of December 1878 had never been brought prominently to your attention as being what I may call the origin of the Land League movement?—Most undoubtedly. I doubt whether I have ever read Mr. Devoy’s letter to this day.

60,674. That is not my question, sir, you swore a few moments ago——?—I think the expression of the Solicitor-General, Mr. Johnson, to some extent proves that I had not seen the letter of that date at the time when it appeared, because I asked him what the date of the letter was.

60,675. Do you mean to swear to-day that you had never had your attention called to this letter as showing the connexion between Devoy and this movement until the

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[Continued.]

proceedings in this Commission?—It was evidently called to my attention at that time by Mr. Johnson.

60,676. Do you adhere to that?—My attention was evidently called to the letter on the occasion in question. I do not appear to have thought very much of the speech. Mr. Johnson was not as attractive a speaker as yourself or many other holders of the office.

60,677. That is your explanation, Mr. Parnell?—That is my impression, that I did not pay special attention to the speech in question.

60,678. I call your attention to the statement of fact that this letter of Devoy's caused great excitement in Ireland. Do you deny that that is true?—That is Mr. Johnson's impression.

60,679. Do you deny it was true?—So far as I know, I never heard of any excitement caused by that letter in Ireland. It may have caused excitement among the landlords.

60,680. You say you did not pay attention to Mr. Johnson's speech. Just before the quotation of Mr. Johnson you interrupted him on two occasions?—I did not say I did not pay attention. I say it is probable I did not pay any very special attention to the quotation about the letter and the speech generally, but I have no particular recollection of them.

60,681. Let me understand the position you now assume. It is alleged rightly or wrongly by the then Solicitor-General for Ireland that Devoy's letter was the foundation of the Land League movement. Do you deny that, or do you accept it?—That he made the allegation?

60,682. No, that he stated——?—That the Solicitor-General made the allegation?

60,683. Yes.—It is plainly true.

60,684. Do you say it is a true allegation or a false one?—I say it is untrue.

60,685. Absolutely untrue?—Undoubtedly.—Devoy, although he took a prominent part in the formation of the Land League in America, claimed too much credit for the part he took in common with many others of the section.

60,686. I am not talking about Devoy claiming credit. Do you deny that Devoy's letter had a great deal to do with the formation of the Land League in the beginning of 1879?—I do not think it had very much to do with the formation of the Land League at all.

60,687. Did you make any inquiry after that speech to see whether the allegations made by Mr. Johnson were true?—I do not believe I made the slightest inquiry.

60,688. I reminded you yesterday, sir, of what I proved—that it was stated on two occasions that 5,000 copies of this letter were circulated by, I think the words were, “the printing manager of the Land League.” Do you assert, have you ascertained, whether that is true or false?—I never heard of such an official.

60,689. I am not dealing with the official—were circulated by the Land League?—I never heard of such a circulation.

60,690. An agent of the Land League?—I never heard of it.

60,691. Have you ascertained whether it is true or not?—I have not made inquiries.

60,692. If it be true that 5,000 copies of Devoy's letter were circulated by the Land League, do you state on oath that Devoy's letter had nothing to do with the movement?—Devoy's letter had nothing to do with the movement—had nothing to do with the origin of the movement, as far as I know.

60,693. What object could the Land League have in circulating copies of it, then?—I cannot say, indeed. I was not present, as far as I know, at the meeting where it was decided to circulate the copy.

60,694. Was the fact that 5,000 copies of Devoy's letter had been circulated by the Land League proved in the evidence in the State Trials, in the autumn of 1880, or in January 1881?—They may have circulated the letter because they thought it was a good letter. I cannot express any opinion about the letter until I read it.

60,695. Can you suggest any reason for the circulation of Devoy's letter by the Land League, except to further the organisation which was being supported by the Land League?—I should suppose it was circulated because it was thought it would further the organisation of the Land League.

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60,696. Can you suggest any other object?—I shall read the letter, and then I shall be in a better position to tell you.

60,697. Can you suggest any further object?—I am not in a position to give an opinion about a letter I have not read.

60,698. I ask you, can you suggest any other object for that letter being circulated except to further the Land League organisation?—I should suppose that the idea of those who ordered the circulation of the letter, was that it would benefit the Land League in some way by its circulation.

60,699. Now I must read the rest of this—

“No better work for Ireland has been done.”

This is a quotation. It is by Mr. Johnson—

“No better work has been done for a considerable time than was accomplished in Dublin.”

(*The President.*) This is a quotation from Mr. Johnson from what?

(*The Attorney-General.*) From the press. It does not state what newspaper. This is a speech made of course in Mr. Parnell's presence. Will your Lordship allow Mr. Atkinson to read it.

(*Mr. Atkinson.*)

“‘No better work for Ireland has been done for a considerable time, than was accomplished in Dublin on Tuesday last, when the Irish National Land League was founded. An organised central body was needed to give sustinment to the present land movement. That system is a vile oppression, a blight, and a curse to these countries; but it is in Ireland especially that its evil effects are felt. It plunders, enslaves, and tortures the masses of the people, and is incompatible with their peace and their prosperity. It tends to degrade their very souls. Let them steadily and resolutely, and liberally support the operations of the Irish National Land League, and the day of their emancipation from a hateful and ruinous tyranny is not far distant.’”

“Up to that time the late Government never awoke to the situation, and the agitation was still carried on. On the 15th of the same month—October—a meeting was held, which was thus spoken of in the ‘Nation?’”

“‘Last Sunday the west again spoke out on the land question. Meetings in furtherance of the land agitation were held in Corofin, co. Galway, and in Kilmaine, co. Mayo. In the former place, the Rev. Father M'Donagh, P.P., and Mr. Davitt, were the principal speakers; in the latter, Mr. Daley, of Castlebar, and Mr. Loudon, of Westport. We need not indicate the character of the speeches or resolutions; sufficient to say that they echoed the cry which has now been ringing throughout the land for the last six months. It is needless to say that the patriotic feeling of the people found expression also in the display of national emblems, and of banners bearing patriotic mottos.’”

“—He thought he heard hon. members opposite, in the course of the debate, suggest that the Land League was not born until after the present Government took office. The article went on:”

“‘While Pikemen and horsemen, now invariable features of western demonstrations, occupied conspicuous positions.’”

“A Government reporter attended that meeting. The Government at last appeared not to be asleep. The noble lord, the member for Woodstock, reproached the present Government for being so absolutely tradesmanlike as to send reporters to meetings; and yet they were only doing what the great party which at that time guided the destinies of the nation had done in this respect. Then he found this passage:”

“‘At Corofin the Government were represented as usual by a detective reporter, who was the occasion of a rather humorous incident at the close of the proceedings. We refer to the fact that the Rev. Father M'Donagh, Mr. Davitt and another gentleman mystified him considerably by addressing the assembled thousands in Irish.’”

“At length the Government took action, and their successors were reproached with abandoning their prosecutions. But the fact was that there never could have been any real intention on the part of the late Government to carry them on. The ‘Nation’ thus spoke of the prosecutions:”

“‘After stealthily watching the progress of the land movement for some months, after having had their spies in every crowd, and their reporters on every platform, noting every look and every word of the men who took a leading part in the proceedings, the Government have made their spring, and on whom?’”

“The hon. member for Cork City never had a greater triumph. He had set the Government at defiance, he had organised the agitation, and they swooped down on some obscure individuals.”

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(*The Attorney-General.*) Now, Mr. Parnell, I have only one other question in this connexion with reference to your knowledge of Devoy. "United Ireland" was started in August of 1881—July 1881?—Yes, about that date.

60,700. The new paper?—Yes.

60,701. I call attention to this speech of Devoy's, published in "United Ireland" on the 24th September 1881. It is headed in the papers—

"JOHN DEVUY ON THE LAND MOVEMENT. WHAT IT MEANS AND WHAT
IT MUST LEAD TO.

"Speaking at the Land League demonstration in Buffalo on August 24 t,
" Mr. John Devoy said:—'I look at this movement from a standpoint of Irish
" 'nationality. Being a Separatist, an advocate for the extirpation of every
" 'vestige of English rule in Ireland—their feudal laws, their gingerbread
" 'aristocracy, their rotten administrative system, their crown and government—I
" 'ask myself how this land agitation affected the object on which alone I based
" 'my hopes of Ireland's regeneration. And as a Separatist, I say it has advanced
" 'the cause of Irish nationality immensely. * * * * * The Land
" 'League is only a precursor of a movement to sweep away English rule and
" 'make Ireland mistress of her own destinies. Do not the recent speeches of
" 'Mr. Parnell, of Patrick Egan, and the manly speech of John Dillon in
" 'Tipperary, give unmistakeable evidence of their feeling that the platform must
" 'be broadened, and the plank of Irish nationality placed where it ought to be,
" 'in the fore front. * * * * * Let us speak plainly, and say that unless a
" 'forward step is taken in the direction of Ireland's full rights, no further sacrifices
" 'may be expected from us here in America. * * * * * We have not
" 'abated one jot of our right to a separate national existence; nor abandoned
" 'our hope of severing the accursed connexion with England, and of building up
" 'an Irish nation. We have not lost faith in the sword as the last resort, the
" 'means by which enslaved peoples finally achieve their freedom.'"

I call your attention to that speech published in "United Ireland"?

(*Sir C. Russell.*) Where is it taken from?

(*The Attorney-General.*) I have read it as given to me.

"John Devoy on the Land Movement. What it means and what it must
" lead to."

60,701a. Now do you regard that speech as being a speech in favour of constitutional agitation or not?—That speech appears to me to be in advance of the position I understood Mr. Devoy had taken up on the land question.

60,702. Published in "United Ireland," at that time just starting on its first career?—Apparently so, yes. I cannot say, however, that I ever saw this speech or read it at the time. I have no recollection of it.

60,703. Your statement to me this morning was, that as far as you attended to newspaper matter at all, your attention was mainly directed to "United Ireland"?—Precisely so.

60,704. Now I want to call your attention, if you please, to this. Are you acquainted with Mr. Dillon's speeches or not?—Yes, I was acquainted with some of his speeches. I heard some of them in the House of Commons. I cannot say I was an attentive reader of anybody's speeches except my own.

60,705. You agree, do you not, that Mr. Dillon is a representative of your party?—Mr. Dillon is undoubtedly a very representative figure in our party.

60,706. And in accord with you?—Well he is one of the members of the advanced section of the Land League, and always has been.

60,707. Now I want to ask you—you stated that prior to the passing of the Land Bill, you were endeavouring by constitutional means to get the best Land Bill you could?—Prior to the passing of the Land Bill?

60,708. I say prior to the passing of the Land Bill?—While the Land Bill was in committee.

60,709. And the objections you took, you told me were objections that arose upon the ultimate form of the Land Bill. I do not want even to tempt you to suggest them again?—We took objection to the principles, and also to the details of the measure.

60,710. I want to call your attention to a speech of Mr. Dillon's. You may not have been present?—What is the date?

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60,711. The 18th April 1881?—In the House of Commons?

60,712. No, no. I said so if you will attend. I am not suggesting you heard the speech at the time. It is not for that purpose. I call attention to this passage to ask you if you approve of it. It is page 473 of those delivered to your Lordship.

“ I say better for no Land Bill, better for the tenants of Ulster to come into the Land League like men, and defend their farms like men as the men of Tipperary, Mayo, and Galway. Better trust that, than go into the court and submit their cases to the County Court judge.”

I recollect that speech very well.

60,713. You mentioned yesterday that you objected to the County Court judge. What had been the means of the defence of the farmers of Tipperary, Mayo, and Galway?—The means of defence?

60,714. Yes?—Alluded to in this?

60,715. Do you know what action had been done either at Tipperary, Mayo, or Galway, prior to that date when certain evictions had been attempted?—I should think that Mr. Dillon alluded to the combination not to take evicted farms, and to boycott anybody who did.

60,716. But let me call your attention to one thing. Had there not been the barricading of houses and resisting of evictions at that time?—Very possibly. It is going on still.

60,717. Do you consider that that speech would conduce to constitutional action as distinct from breaches of the law?—I had occasion to take a great deal of exception to several passages in Mr. Dillon's speeches at that time.

60,718. You said you had occasion to take grave exception to several passages in Mr. Dillon's speeches at that time. Have you ever, until to-day, publicly, directly, or indirectly, expressed disapproval of Mr. Dillon's speeches?—I have already answered that question in my reply to a similar question sometime previously.

60,719. Do you suggest, as a leader of the movement, that if you object it is sufficient to make private remonstrance to the individual who has gone beyond what you think right?—It is sufficient if in addition, by your own speeches in public, you say that you do not share the views which you object to.

60,720. Have you ever, on any single occasion, until this moment, either directly or indirectly, stated that you did not share fully the views expressed by Mr. Dillon?—I made several speeches at that time in which I put my views clearly before the country, with reference to the attitude that we ought to adopt upon the Land Bill. It was perfectly well known to the country, by everybody interested in Irish politics, at that time what my views were.

(*Mr. R. T. Reid.*) Before Mr. Dillon comes, I may say this is not a fair extract representing what the speech means.

(*The Attorney-General.*) My friend will comment upon any extract when it comes to his turn.

(*The President.*) Do you mean it is not a full extract, and does not fully sufficiently represent what was said.

(*Mr. R. T. Reid.*) I mean the full speech shows it was practically opposed to what the learned Attorney-General read.

(*The President.*) You mean not a full extract sufficient to enable us to judge of its purpose.

(*Mr. R. T. Reid.*) Yes, my Lord.

60,721. (*The Attorney-General.*) I am satisfied by the statement made by Mr. Parnell that there were several utterances by Mr. Dillon for which he remonstrated with him?—That I did remonstrate with him over them.

60,722. I do not know whether that was one or not. Do you think that was one of the speeches?—I am perfectly clear it was one of the speeches.

(*The Attorney-General.*) So much, then, for Mr. Reid's interruption.

(*Mr. R. T. Reid.*) I am representing Mr. Dillon, who is absent, and not Mr. Parnell.

60,723. (*The Attorney-General.*) With reference to an answer you gave as to the two occasions upon which the Fenians showed opposition, you mentioned the Enniscorthy meeting. I do not think you told us the date. It was the election meeting of 1880?—Yes. It was during the General Election of 1880.

60,724. Have you refreshed your recollection with reference to the cause of the breaking up of that meeting—have you had any reference to any contemporaneous

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papers?—No, the incidents of that meeting are so thoroughly impressed upon my memory I do not require to refresh myself upon it.

60,725. Did you go down to support Mr. Barry?—Yes.

60,726. Was Mr. Barry at that time a member of the Supreme Council of the Fenian Brotherhood?—Not so far as I know or believed at the time.

60,727. Was he a member of the Fenian Brotherhood?—Not so far as I know or believe at the time.

60,728. Do you know now?—I believe now that Mr. Barry was connected with the revolutionary organisation at the same period as Mr. Egan was, but I cannot say anything more than that; I have only knowledge from hearsay. I have never asked Mr. Barry any questions about it.

60,729. Did you go down with Mr. John O'Kelly, also connected with the Fenian movement?—I did not know that he had been connected with the Fenian movement, and never heard of it.

60,730. Was the present member or candidate, one Mr. William O'Byrne, was he the sitting member?—Mr. O'Byrne was brought forward in consequence of the attack upon us at the meeting.

60,731. Was Mr. O'Cleary a sitting member?—Yes, Mr. O'Cleary.

60,732. Is it not the fact that that meeting was broken up by the clerical party at Enniscorthy, and not by the Fenians?—Certainly not, not by the clerical party of the county of Wexford. There were two Wexford priests in the combination against us with Mr. O'Cleary, but the meeting was broken up by the Fenians at Enniscorthy.

60,733. You do not represent Mr. O'Cleary was a Fenian?—I do not know.

60,734. Do you represent that he was?—I should think it very probable he was, but I do not know.

60,735. Do you know one way or the other?—I have heard about him in the same way that I have heard about many members of my present party, that in the old times they were connected with the physical force movement, but I have no other knowledge—there were two.

60,736. Was not Mr. Barry nominated by Mr. Egan?—For what?

60,737. As candidate?—For the county of Wexford, as far as I know undoubtedly not—undoubtedly Mr. Egan supported his candidature.

60,738. Do you know by whom Mr. Barry had been selected?—I have not the slightest notion or recollection.

60,739. However, I will take it you went down to support Mr. Barry?—Yes; I went down to support Mr. Barry.

60,740. Against Mr. O'Cleary?—I think that was the situation.

60,741. Now, Mr. Parnell, there is a man as to whom I regret I have not asked you any questions at present, although I ought to have done so in another connexion, and that is a man named James Redpath. Did you know him?—I knew him.

60,742. Did you know him well?—Yes, fairly well. He has always been a supporter of mine.

60,743. How long have you known him?—I have known him since he came over to Ireland.

60,744. When was that?—I cannot recollect the exact date. I daresay I shall be able to recollect it perfectly after a time.

60,745. October 1880?—Very possibly.

60,746. You knew him before October 1880, did you not?—I do not recollect him before the formation of the Land League movement; but I may have known him.

60,747. I have certain specific matters to put to you respecting Mr. Redpath. I will ask you first, is not it the fact that Mr. Redpath went about from land meeting to land meeting?—Yes he did, during a portion of the movement.

60,748. Actively supporting the foundation of the land movement?—Yes, actively.

60,749. Up to what time?—I suppose he continues to support it up to this date as far as I know.

60,750. What was Mr. Redpath?—Mr. Redpath was an American journalist and a newspaper proprietor.

60,751. He was not an Irishman?—No, I think he was an American born Protestant.

60,752. Do you remember what paper he was connected with?—I do not remember just at this moment the name of the paper—I can give you it if you wish.

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60,753. Do you remember being interviewed by Mr. Redpath?—I have no special recollection about it, but it is very possible that he did.

60,754. According to you, as I understand, at no time were the Nationalists ever supporting the Land League. Individual members you say were?—As an organisation I have never known them supporting it—as an organisation. I think Nationalists throughout America did support it.

60,755. Not as a body?—As an organised body.

60,756. Or as a body at all?—I think probably the great bulk of the men who formerly held revolutionary opinions in America did support the Land League.

60,757. Let there be no misunderstanding about my question. Your case as I understood it yesterday, is—I do not want to misrepresent you, I can assure you—but your case is, that whereas individual Nationalists supported you, the bulk of the Nationalists opposed you?—Excuse me, that is not my case at all.

60,758. What is it then?—I am afraid I could not put my case before you in a word.

60,759. You can answer the question I ask you?—As regards the opposition of the Nationalists.

60,760. Yes?—My position with regard to the opposition of the Nationalist is this : that the organisation in Ireland—the organisation of the I.R.B.—according to the best information, constantly and consistently opposed the Land League from first to last, and that many of the followers and the rank and file probably came into our movement, and that that increased the antagonism of the remainder to us, because they blamed us for taking their men from them. Then with regard to the situation in America, so far as I have ever heard about it——

60,761. Let us confine ourselves about it, please, to Ireland.

(*Sir C. Russell.*) You asked him about it.

(*The Attorney-General.*) Your position with regard to Ireland is that the National party—the extreme party in Ireland—speaking of the body—opposed you ; it was the individuals that came in?—Quite so. Of course I can form no estimate of the individuals who came in, or how many came out, but I should think great numbers of them must have come in because their interests were connected with our movement. They were the sons of farmers, sons of labourers, and shopkeepers throughout the country, and I think it was a mistaken policy of the Nationalist organisation to oppose us.

60,762. Now I will ask you to listen to certain answers given by you and published in the “Nation” on the 2nd October 1880, the “Nation” being a friendly Nationalist paper—the Irish “Nation.” Now I will call your attention to this question : “But is the movement not opposed by the Nationalists——”

(*Sir C. Russell.*) What is it?

60,763. (*The Attorney-General.*) It is Mr. Parnell interviewed by Mr. James Redpath.

“But is the movement not opposed by the Nationalists and the priests? Indeed it is not. I should despair of Ireland if the most active forces in the country arrayed themselves against a movement like this. Individual priests may have condemned chance indiscretions, but individual Nationalists have protested that we should lie by while preparations are being made to cope with England by physical force, but that is all. Everyone is welcome to his opinion about this movement, and to express it.”

Is it your view that that is consistent with the view given as to the attitude of the I.R.B. or the Fenians?—That coincides with the view I have just expressed to their Lordships that in my judgment in all probability the great bulk of the members of this organisation, who held those physical force views, had not come into our movement.

60,764. You know what I have read. I will read another answer also given by you :

“Well, and as to the Nationalists? They are a body whose earnestness and readiness for sacrifice I have always respected. There is no conflict between us, and we travel on different roads. Some interested persons may, it is true, try to spread the idea among them that there should be no other popular movement in Ireland except theirs; but I feel sure the vast majority of the party would prefer to have their energies used in fighting England, than in quarrelling with us.

“Had you their support at the elections?

“I should not suppose that officially as an organisation any action was taken but individual Nationalists would naturally join in against the landlords and the Whigs.”

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[Continued.]

60,765. My question to you is (I have called your attention to this) do you suggest that is consistent with the view you have been presenting of the attitude of the Fenian party during the last three days?—I consider it is quite consistent as subsequently developed: I do not say of course, my Lords, that at this early period the opposition of the organisation as an organisation had become so strong or so well-known to me as it has become subsequently.

60,766. When the Nationalists joined you, did they leave the Nationalist ranks?—That I cannot say; but I should think probably that their interest ceases in the physical force movement when they come into our movement.

60,776. Have you any proof whatever from any public utterance of any of them that their interest in what you call the physical force movement ceases?—I have no doubt numbers of such utterances could be obtained for you.

60,768. Now, I must ask you about Mr. Redpath. Did he make most violent speeches?—He made some violent speeches—reprehensible speeches.

(*Sir C. Russell.*) Which “Nation” are you referring to?

(*The Attorney-General.*) I have told my friends once I mean the paper from which a number of extracts have been put in. It is so handed to me,

(*Sir C. Russell.*) There are two papers called the “Nation”; one is called the “Irish Nation” published in New York.

(*The President.*) I assume it is the “Irish Nation” which is referred to.

(*The Attorney-General.*) You mean the “Nation” in Ireland, because the other is called the “Irish Nation.” As far as I know we have no single extract from the American paper. It has not been handed to me to my knowledge. Every extract of the paper I have put in comes from the paper published in Ireland.

60,769. I was putting a question when my friend, Sir Charles, asked that which I wish to repeat. Did Mr. Redpath make violent speeches?—He made some violent and most reprehensible speeches or containing some most violent and reprehensible passages.

60,770. In 1880, did you hear of a speech made by Mr. Redpath in the presence of Mr. Thomas Sexton, Mr. P. J. Sheridan, Mr. M. P. Boyton, Mr. Thomas Brennan, Mr. Kettle, Mr. Patrick Egan, Mr. T. P. O'Connor. I am quoting from the “Freeman’s Journal” or the “Freeman” (it is the same paper) of the 3rd November 1880. Did that speech come to your knowledge?—I cannot say. If you read the speech I will tell you whether I recollect it.

60,771. The offices of the National Land League were at Middle Abbey Street at that time, were they not?—I think so about that period.

(*Sir C. Russell.*) Where is the speech?

60,772. (*The Attorney-General.*) The 3rd November 1880, made at a meeting of the Land League at the Land League offices, Mr. T. D. Sullivan in the chair. I need scarcely ask you Mr. Thomas Sexton is a prominent member of your party?—Yes, very prominent.

60,773. Working in harmony with you?—A member of the moderate section.

60,774. Mr. T. Harrington is a member of your party?—Mr. T. Harrington, yes, certainly.

60,775. Mr. T. P. O'Connor?—Mr. T. P. O'Connor.

60,776. Dr. J. E. Kenny?—And Dr. J. E. Kenny.

60,777. All those are reported as being present. In addition, Mr. Patrick Egan—also in active sympathy with you?—Yes.

60,778. Mr. P. J. Sheridan, Boyton, and Brennan, the organisers. Now I call your attention to this passage with reference to Lord Mountmorris.

(*The President.*) One more thing to complete it. You say it was at a meeting of the Land League. Was it a public meeting?

(*The Attorney-General.*) No, my Lord, apparently not a public meeting—a meeting of the executive of the National Land League.

60,779. Perhaps you can tell me; was it open or not.

(*Mr. Davitt.*) Certainly open,

60,780. (*The Attorney-General.*) I am asking Mr. Parnell, please. I should think so. I have no special knowledge.

60,781. The press must have been present to get the report, or else it must have been communicated?—I think all the meetings of the central branch were open, but not the meetings of the executive.

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[Continued.]

60,782. Now I call your attention to a speech or a passage at the end of Mr. Redpath's speech with reference to the murder of Lord Mountmorris. He had been discussing the question whether it was an agrarian murder or was not. He says this:—

“The friends of the Irish peasantry had been altogether too gentle in their talk about this infamous rascal. He was a Government spy, and once bragged that he was in the pay of the Castle. He made very disrespectful remarks about Fenians, and if they were going to do that they should keep out of the west of Ireland, or they would be hurt.”

Now I call your attention to that speech made in the presence of those leading gentlemen whom I have mentioned. Do you approve of that speech?—Certainly not; it is a most reprehensible speech?

60,783. Did you know of it?—I do not recollect it.

60,784. Will you undertake to say it was not called to your attention?—I will not undertake to say that. I have a recollection generally that Mr. Redpath did make several violent and reprehensible speeches.

60,785. You knew of Mr. Redpath making violent and reprehensible speeches?—I have that recollection, yes.

60,786. At or about the time?—Yes.

60,787. Several of them?—More than one, I think.

60,788. Did you take any steps whatever to separate yourself from Mr. Redpath, or to determine your connexion with him?—I should think it is exceedingly probable that I remonstrated with Mr. Redpath very strongly, and he showed an improvement.

60,789. That is not in the least an answer to my question, Mr. Parnell. You may put private remonstrances upon me as often as you like, but I must press you to answer my question?—My answer is the same that I have already given about similar questions.

60,790. You said a few moments ago Mr. Redpath was an active supporter of your Land League from 1880 down to the present time?—Yes, he was travelling in Ireland at that time.

60,791. Have you ever, either in speech or in writing, taken any step to separate yourself from Mr. Redpath or his violent speeches?—I cannot say that. I have told you what my habit was upon these occasions.

60,792. Now, I must call your attention to this matter a little more prominently, please. Now, I cannot say for certain, Mr. Parnell, whether you were present in the House on the 25th February 1881, but it is not important whether you were or not for the point I wish to make to you. But I tell you Mr. T. P. O'Connor was, Mr. T. D. Sullivan was. I call your attention to this passage at page 1823 of volume 258 of “Hansard.”

“Will the hon. member for Westmeath (Mr. T. D. Sullivan) deny that Redpath went from Land League meeting to Land League meeting in Ireland. Thanks to this House, Ireland is being delivered from this peril, and men are beginning to see that they cannot break the law with impunity, and that they cannot defy it without danger.”

I ought to have read a little earlier.

“An hon. member alluded to the speech of my right hon. friend the Home Secretary. He mentioned two or three names. I will not go over them now, except to say this—I ask the hon. member who spoke last but one (Mr. T. D. Sullivan) if he is not aware that of the people who have been instrumental in getting these large subscriptions from the United States which have been the great support and sustenance of the Land League movement, John Devoy was one of the most influential and the most successful? There was another name mentioned by my right hon. friend the Home Secretary—that of Redpath, from whose atrocious speech my right hon. friend quoted. Will the hon. member for Westmeath (Mr. T. D. Sullivan) deny that Redpath went from Land League meeting to Land League meeting in Ireland.”

Was that speech call to your attention or not?—The speech of Mr. Forster. I have no special recollection of it. I may have been there.

60,793. I will tell you—it is fair to say to you—that Mr. Healy was also in the House at the same time. He, of course, was also a prominent member of your party?

—Yes.

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[Continued.]

60,794. Now I refer to a speech on the 3rd March 1881. The speech has already been proved, but I do not think we have proved who were present. I will see in a moment who were present. I know Mr. Dillon was. Sir William Harcourt said—

“I knew it as one responsible for the public peace of the dominions of the Queen, and as one whose duty it was to denounce it, as I have denounced the language of John Devoy, as I denounced the language of Redpath, and as I denounce the language of the member for Tipperary. I call them confederates. They are confederates in action, and their language is the same. The language of Redpath, which I read out the other day, and in which he recommended that the landlords should be shot down like rabbits, was exactly the language which the hon. member for Tipperary has just used.”

The hon. member for Tipperary was Mr. Dillon?—Yes.

60,795. And Mr. Dillon, I notice, interrupted. I am not sure I can tell you who else of your leading colleagues were present at that time. I know Mr. Healey was. On the 17th September 1881 (that is the same year that your attention had been called to these violent speeches, and the attention of your colleagues called to these violent speeches, and among them Mr. Healy) was there a convention at Dublin?—Yes, two conventions.

60,796. Was Mr. Redpath an attendant at that convention?—I do not recollect Mr. Redpath at the convention, but he was very possibly there.

60,797. Let me refresh your memory. I refer to the 24th of September 1881, the “Weekly Freeman.” You presided, did you not?—Yes.

60,798. Did you say—I am reading from the report of the “Freeman”—“I now call on Mr. Redpath.” I have not got the rest of your speech, but, however, you called upon Mr. Redpath to speak?—Yes.

60,799. After Mr. Redpath had spoken, did Mr. Healy speak in your presence?—I should think so.

60,800. Did he say this. I am reading from the same report, the 24th of September 1881, the “Weekly Freeman”—

“I am glad you had to address you”

That is to the meeting,

“the famous correspondent Mr. Redpath. I think Ireland when we have achieved something of independence will mark its sense of the work done by James Redpath,”

Do you think, Mr. Parnell, that that kind of reference to Mr. Redpath at the Dublin Convention would be likely to enhance the value of speeches he had made or the contrary?—I think that Mr. Redpath’s objectionable and censurable speeches were limited in number, and that the services that he rendered to the movement, both in America and in Ireland, but more particularly in America, were considerable.

60,801. I must ask you again, do you consider that this reference of Mr. Healy’s made in your presence, and made at such a meeting as the Dublin Convention, that “Ireland when we have achieved something of independence will mark its sense of the work done by James Redpath,” would have been likely to have enhanced the effect of Mr. Redpath’s speeches, or the contrary?—I cannot say. Of course it would have given Mr. Redpath additional prominence in Ireland—such a recommendation coming from Mr. Healy.

60,802. Now on the 22nd of February 1883 (also in at page 3327) did you know of, the denunciation of Mr. Redpath by Mr. Forster?—Yes.

60,803. You know of that?—Yes, I heard of it.

60,804. That was in your presence?—I should think so.

60,805. You made a reply to it?—Yes.

60,806. Not on the same night. You heard the speech?—Very probably.

60,807. You will probably remember being twitted by Lord Hartington with not rising to respond to Mr. Forster’s attack?—I do not recollect the particular incidents.

60,808. You did not speak on the same night?—I should suppose not since you have so stated.

60,809. You expressed your intention of moving the adjournment?—I have no recollection of the particular incidents.

60,810. Now I ask you, sir, with reference to that allegation made against you by Mr. Forster in which he, calling attention to Mr. Redpath, says this:

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“ Did the hon. member for the city of Cork ever inquire into the action of another of his assistants, Redpath, an intimate ally of the Land League leaders? Redpath spoke at the Land League Convention in Dublin; he was Mr. Sexton’s right-hand man, and at a banquet he publicly avowed his intentions to commit murder. I never heard any denunciation of Redpath afterwards.”

Did you at that time, or on any single occasion, allege that you had remonstrated with Mr. Redpath for his speeches?—I should suppose not, if it is not recorded.

60,811. Now, with reference to the statement you have made four or five times in connexion with violent speeches of different people. You have stated that you remonstrated with them?—I have stated that I was in the habit of remonstrating with regard to violent speeches and violent action taken by members of our party from time to time for many years past.

60,812. If you do not mind listening to me for a moment, I think the names you have already given or referred to in answer to my questions are Mr. Redmond, Mr. Redpath, Mr. Dillon, and I think Mr. William O’Brien, but I am not quite sure about that; but at any rate, the first three. Have you ever before you were cross-examined yesterday, stated publicly or in writing, or by speech, that you had remonstrated with them?—Certainly not. I should not have stated it now if I had not been obliged to.

60,813. Now, as to Mr. Brennan. You know a letter was read (I cannot object in one sense to its being read) purporting to be from Mr. Brennan at some date, which I forget, but I think either in February or March 1883. I asked for the address at the time. It purported to be London. When did you last see Mr. Brennan?—I last saw Mr. Brennan either in Dublin towards the end of the year——

60,814. Which year?—The year 1882 or 1883.

60,815. Which do you mean, because it is important, please?—It was the year that he left.

60,816. I am going to ask you what time he left, directly?—It was towards the end of the year 1882 in Dublin, or in the beginning of the year 1883 in London.

60,817. How early?—I should think about the time that he was in London—about February.

60,818. Are you quite sure it was as late as February?—I think so. That is my impression, but I never like to speak particularly as to dates.

60,819. Is it not the fact that you had an interview with Brennan just before Carey’s statement appeared—a few days before?—I think it is very possible.

60,820. Did he leave for Paris?—I cannot say where he left for—whether he left for the Continent or for America.

60,821. You have never seen him since?—I have never seen him since.

60,822. When did you last see Mr. Egan?—I last saw Mr. Egan in the late autumn of 1882.

60,823. Where?—In Dublin, I think it was—either in Dublin or in London on his way over to Ireland.

60,824. You have never seen him since Carey’s statements?—No.

60,825. When did you last see Mr. Rourke?—I have seen Mr. Rourke occasionally from year to year up to the present time—very occasionally.

60,826. Where?—The last time I saw Mr. Rourke was in London.

60,827. When?—I think yesterday or the day before.

60,828. When did you last see Byrne?—The last time I saw Byrne was on the day that I left the letter containing the cheque for 100*l.* for him, addressed to him at Palace Chambers, in the care of Mr. McSweeney, the acting secretary.

60,829. When was that? You saw him, I understand? I ask you when you last saw Byrne?—That was the last day I saw Mr. Byrne. I tell you how I saw him.

60,830. What date do you fix that?—It is in the evidence already.

60,831. Try as near as you can and tell me what day?—It was the day he left London, was the last day I saw him.

60,832. What day was that?—I think it must have been the day he left London.

60,833. What day was that?—That was the day he got the cheque.

60,834. I have a reason for asking you as near as you can?—It was about the 20th or 23rd.

60,835. Of what?—Of March, was not it?

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[Continued]

60,836. You know, Mr. Parnell, not I?—Really it is very difficult for me to recollect dates, but I think it was the 23rd of March.

60,837. You have never seen him since?—I have never seen him since; no.

60,838. When did you last see Sheridan?—I last saw Sheridan in Dublin at the Imperial Hotel, about a fortnight before my arrest.

60,839. When was that?—It would be, I should think, the end of September or beginning of October.

60,840. You have never seen him since?—I have never seen him since.

60,841. Did you know personally Walsh of Middlesborough?—I knew a little of him. I had seen him once or twice.

60,842. You knew him?—Yes.

60,843. When did you first know him?—I knew him first of all in Mr. Butt's movement in 1875 or 1876 as a prominent supporter of Mr. Butt's.

60,844. John Walsh of Middlesborough?—John Walsh of Middlesborough.

60,845. Did you see him during the years 1879 to 1883 or 1884?—I cannot recall to my recollection that I ever saw Mr. Walsh after he became the organiser of the Land League of Great Britain.

60,846. Will you undertake to say that you did not, Mr. Parnell?—I think not, to the best of my belief.

60,847. I must ask you what is the last date at which you, to the best of your belief, ever saw John Walsh?—Sometime before the formation of the Land League. Perhaps two or three years before. I have met him occasionally at meetings and so forth. He was a tall, fine-looking man.

60,848. It does not matter whether he was fine or tall for my purpose?—His appearance would impress you if you saw him.

60,849. Do you know when he left England?—No, I do not know when he left England.

60,850. Have you any knowledge of John Walsh being in England after Carey's statements?—I do not know.

60,851. Did you know P. J. Tynan?—No.

60,852. Never seen him?—No.

60,853. Never saw him?—Never saw him.

60,854. You are quite sure?—I am quite sure.

60,855. Under any name, either Tynan or Thompson?—No, I think, I never heard of him.

60,856. Did you know that man by sight?—No, I never saw him.

60,857. In 1882, did you know of Tynan being in Ireland?—No.

60,858. Did you know of that man being in London, and being in company with Byrne?—No, certainly not. I never heard of Tynan or of his name until the arrest of the Invincibles and the evidence of Carey.

60,859. I may take it then that the evidence given with reference to Tynan being in Palace Chambers in the year 1882, and addressing meetings in various parts of London on behalf of the English branch of the Land League, whoever he was with, was news to you?—Quite news, yes; but it is very possible that he did so.

60,860. You did not know the people he associated with, or who saw him?—No.

60,861. You have not seen Tynan, I understand at all?—I have not.

60,862. You have not heard of Tynan being in Ireland since Carey's statement?—No.

60,863. Now, you have stated, Mr. Parnell, that Mr. Egan was a man in whom you have never lost your confidence at all?—Quite so.

60,864. A man who sympathised entirely with you?—In respect to those qualities that I described to the Court.

60,865. I am not dealing with those qualities you described. I put my question very pointedly to you. What I want to know is this, Egan is a man who never sympathised with the physical force movement or the extreme section after he had joined you?—He never expressed any such sympathy to me.

60,866. Or to your knowledge, I understand?—Or to my knowledge.

60,867. And I understand that your confidence in Mr. Egan is in consequence of his not having expressed to you any sentiment or opinions which have led you to have doubted or to have changed your opinion respecting him?—My confidence is formed on account of my knowledge of him during those years.

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[Continued.]

60,868. And as for either palliating murder or advocating physical force, you think that Mr. Egan would have been as unlikely to do it as you yourself?—Oh, I quite think so. I think that with regard to physical force as a contingency in the event of the failure of the constitutional movement that Mr. Egan would have gone further than I should have gone. But with regard to anything in the nature of outrage or crime, such as their lordship are inquiring into, I am quite clear that Mr. Egan would not have palliated such crime.

60,869. Or the use of physical force as a concomitant or allied with the Land League movement?—Undoubtedly.

60,870. What I want to put clearly to you, and let us have no mistake about it, is this. As you say the Land League movement has not failed; it is still existing both in England and America. That is your view?—I think everybody's view.

60,871. Forgive me—everybody's view. I am asking you as to your view. You cannot answer for everybody. You mean at no time to your knowledge and belief between 1879, when he joined you and the present time, would Egan have expressed any views either in favour of crime or in favour of the use of physical force?—Certainly, except as a contingent in the event of the constitutional movement failing.

60,872. And that is your distinct opinion respecting Mr. Egan?—And he certainly never under any circumstances, I should think, would have countenanced crime.

Adjourned for a short time.

(*The Attorney-General.*) My Lords, I forgot to mention, both yesterday and to-day, that I had not fulfilled a promise to Mr. Asquith of putting in the actual extracts with reference to the money from the "Irish World." Will your Lordships allow that to be done at the end of my cross-examination, so as not to interpose it at the present time? Your Lordships also said that I ought to have the actual extracts.

(*The President.*) Yes.

(*The Attorney-General.*) I resume exactly at the point I left off with reference to Mr. Egan, and bearing in mind the answers you gave a short time ago I want to call your attention to one or two matters attributed to Mr. Egan, some of which I shall be able to prove.

(*Sir C. Russell.*) Will you give us the reference?

60,873. (*The Attorney-General.*) I will. I call your attention to a statement already in evidence, at page 2216. This was published in "United Ireland" on the 16th of June 1883, "National League in Chicago." That would be something about 15 months after Mr. Egan left, as near as you know—he left about February 1882?—Yes.

60,874. I am not confusing it (I think you followed me) with the last time you saw him, but the time he left?—Just so.

60,875. This is the article in "United Ireland," at page 2216:

"I am glad to see so large a gathering here to-day for the purpose of
" inaugurating the new branch of the National League."

That was the National League of America.

" It shows that the work done at the National Convention has borne good
" fruit, and that you are all in earnest in building up the organisation, the foun-
" dation of which was so well laid at Philadelphia. During the past week the
" work of ruling Ireland has gone on in the good old fashion of '98. The
" hangman has had a busy time in Dublin. The cry which has for some time
" past resounded through England 'More rope for Ireland!' has been
" answered, and two more of our countrymen have died on the scaffold. One of
" them—poor Daniel Curley—I knew long and well, and I can say with truth
" that a more sterling patriot never died for Ireland."

Do you approve of that speech, Mr. Parnell?—I do not approve of the latter portion of it. My opinion of Mr. Egan, of course, expressed to their Lordships, was formed by my knowledge of him while he was working for me in the Land League movement. I have not been following his career since to any extent.

60,876. This is an utterance you observe in your organ in 1883?—So I believe.

60,877. If I am in error, of course I should be corrected; but I want to understand this distinctly, with reference to your statement as to your present opinion regarding

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[Continued.]

Mr. Egan, have you not had the curiosity to follow his utterances in America, as reported in the public papers, since he left. I cannot say I have. I very seldom read an American newspaper.

60,878. That is not my question. Forgive me for pressing you upon it. Will you undertake to say you have not?—I certainly have not followed Mr. Egan's utterances, or the utterances of anybody else in America.

60,879. But you know he is the exponent of your policy in America?—I state the fact to you.

60,880. He is the president of the National League of America?—He was for one or two years president of the National League.

60,881. The National League of Ireland has received large funds, large subscriptions, from the National League of America?—Undoubtedly.

60,882. Very large amounts?—Undoubtedly.

60,883. Amounting to hundreds of thousands of pounds?—Yes.

60,884. I put it to you, do I understand you to say to my Lords that it is a matter of no importance as to what were the teachings of Mr. Egan in conducting the sister organisation in America?—I certainly should have had less curiosity or less idea of looking for Mr. Egan's speeches than for the speeches of almost anybody else, because my recollection of him was that he seldom or ever made any speeches at all. I should not expect him to speak much.

60,885. But you know that was proved in the month of January of this year; and Egan had been charged in "Parnellism and Crime," as you are aware, with as active a share in conduct which is alleged to be criminal, as any person. Do I understand you to say that from the time Egan left England, or since "Parnellism and Crime" appeared, you have made no inquiry whatever into Mr. Egan's utterances or speeches?—I certainly have not followed Egan's speeches or the speeches of anybody else in America.

60,886. You put now that you have not followed him. Have you ever made any inquiry whatever?—We talk amongst ourselves, and information is given to me from time to time by others who are better acquainted with the situation in America than I am as to what is going on there.

60,887. Have you corresponded with Mr. Egan?—No, not much since he left.

60,888. Have you at all?—A little.

60,889. During what years?—I should think during the years—do you mean my correspondence with him from the beginning, or since his going out?

60,890. No, I am speaking subsequently to his going out. I am upon that entirely?—I may have written to him in 1885 or 1886, during the years when he held office in America as president of the National League.

60,891. Did you or did you not?—I have no recollection that I ever did.

60,892. Then am I to understand your position with regard to this, rightly or wrongly, that you have no acquaintance with what the line of argument in support of your policy pursued by Mr. Egan has been, after he left England or Ireland in March 1883?—I did not make any special inquiries into the matter.

60,893. Did you make any inquiry?—I may have had information given to me from time to time as to the situation of the different parties in America.

60,894. I must ask you to answer my question. It is not "I may have had information given"; did you or did you not make any inquiry?—I may have made inquiry from time to time of my friends.

60,895. Do you say you have?—I think it is possible I have.

60,896. Have you had any reports of his speeches?—I never had any of his speeches.

60,897. And the progress of the movement he was taking part in?—The progress of the movement he was taking part in I measured very much by the remittances received every year.

60,898. Without considering either how those funds had been collected or what hands they had come through?—It was not any part of my duty to collect money in America or to arrange the machinery for its collection.

60,899. Did you know the Rev. Mr. Pepper?—I do not recollect that I ever met him; I knew of him.

60,900. Are you quite sure?—I cannot say positively.

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[Continued.]

60,901. What was the Rev. Mr. Pepper?—He was a clergyman of either the Episcopal or Presbyterian Church.

60,902. A Methodist clergyman?—Or Methodist.

60,903. Was he connected with the Land League?—I believe so.

60,904. During what period?—I do not know in particular. I suppose he was connected with it all the time. I suppose he had been connected with it since its formation.

60,905. If you mean that as assenting to my suggestion, I will accept it—you suppose?—I have no special knowledge.

60,906. To the best of your belief he was connected with it the whole time?—I should suppose it is so, very probably.

60,907. Did you not, when you were in America, urge, ask that this Mr. Pepper should be sent to Ireland to deliver addresses?—I do not recollect that, but it is possible I may have done so. If you will read the passage I will tell you whether it is correct.

60,908. It is already in, at page 3373:—

“Rev. Geo. W. Pepper is again returned, for the third year, to his present charge at Bellevue, Huron Co., Ohio. The North Ohio Conference, of which he is a member, recently met in Newark. He expects to visit his native land in the summer. When Parnell was in this country, he urged, as a special favour, that Mr. Pepper should visit the old land and deliver a number of addresses. He is also coming East this season, and is under engagement for a week in Connecticut.”

I remind you that that is a contemporary statement in the “Irish World,” already in evidence. Is not that statement true, Mr. Parnell?—I cannot say; it is possible it is true. I have no recollection of the circumstance; not the slightest.

60,909. That is not my point. You have no reason for saying it is untrue?—I have no reason for saying it is untrue; I say I do not recollect it.

60,910. Had Mr. Pepper made very violent speeches in America?—I think not, not so far as I know.

60,911. Are you sure?—I do not recollect any particular speech of his, unless he spoke in my presence I have no special recollection of his speeches.

60,912. If it be true that Mr. Pepper came over at your suggestion to deliver a series of addresses, do I understand that you have no recollection of what his speeches were?—If it is true I made that statement I must have heard him speak, and noticed his eloquence.

60,913. Do you suggest he did not come over?—I do not know.

60,914. Did you not see him in the year 1881?—I do not recollect it at all.

60,915. Are you quite sure?—I will not be sure, it is very possible; I saw vast numbers of people, but it has not made any mark on my mind.

60,916. I call your attention to a gathering of the second of July 1881, or rather I ought to say reported in the “Nation” of the 2nd of July 1881 at page 12, column 3. I need scarcely ask you, Mr. Parnell, because you have already admitted that in June 1881, Mr. Egan was in active sympathy with you?—In June 1881 he belonged to the advanced wing of the Land League party.

60,917. You told me a little time ago that as long as the Land League agitation was not unsuccessful he would be one of the last men to advocate physical force?—Certainly.

60,918. I call your attention to a gathering at which were present, according to the “Nation” of the 2nd of July 1881, General M’Adaras; the Rev. George William Pepper, Methodist clergyman; James Stephens; Patrick Egan, treasurer of the Land League; Patrick Casey; Eugene Davis; James D. Foley—are those the correct initials, James Doyle Foley? Did you know him?—Do you mean Mr. Foley, the Member of Parliament?

60,919. I do not know; that is the reason I asked you?—I do not know his initials.

60,920. Was Mr. Foley, the Member of Parliament, connected with any journal?—No, I think he is a business man.

60,921. That is possibly not the same man. I am not suggesting it was. I was asking you there were certain other people I need not mention. Now, I wish to read to

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you the report in the "Nation" of Mr. Pepper's speech in the presence of Mr. Egan in reply to the toast of "Our Native Land."

(*Sir C. Russell.*) I should submit before that is to be read that the witness ought to be asked whether he read it. He was not present.

(*The Attorney-General.*) This is part of the "Nation."

(*Sir C. Russell.*) For what purpose is it admitted. It was admitted against Mr. Sullivan because he was one of the parties charged here, but this is not Mr. Sullivan.

(*The President.*) No, that is perfectly true. It is admissible in evidence, and it is referring there to something that is in evidence. I do not know what question is going to be founded upon it. It might be the same as we have had before; is that in accordance with your views of what is right.

(*Sir C. Russell.*) As long as it is understood that it is not evidence of the fact in it.

(*The Attorney-General.*) It is evidence for all purposes which are legally admissible.

"Rev. Mr. Pepper, in responding, said 'If you ask me do I believe in the
" 'future prosperity and liberty of Ireland' "—

I tell you, Mr. Parnell, I will be as fair as I can, I am reading a speech delivered by Mr. Pepper in the presence of Mr. Egan, and, as you will see, followed by a speech of Mr. Egan himself, from a report in the "Nation" newspaper of July 2nd, 1881.

"If you ask me do I believe in the future prosperity and liberty of Ireland, I
" will answer emphatically, yes, as much as I believe that the everlasting heavens
" are over my head, as that the solid earth is beneath my feet, and that Irish
" blood is revelling in my veins, I believe it because the Almighty is no despot,
" and that His justice will not sleep until Ireland is incorporated among the free
" commonwealths of the world. I believe it because the British Government is
" to-day approaching its decline and fall. It has a million foes, that great
" edifice which once dazzled the world with its splendour, but is now only a third-
" rate power in the councils of European nations. Already I see the tender
" streaks of the sky brightening into the glories of meridian day. Already I
" hear first notes of the jubilee rising from the hearts of Ireland's redeemed and
" disenthralled millions."

Mr. Egan spoke. He was to propose "the Irish race at home and in exile," and Mr. Egan answered in this way:—

"Mr. Egan said that for 700 years the Irish race had struggled against the
" English invasion. Inch by inch our forefathers contested the sacred soil of
" Ireland with the despoiler. The best and bravest of our race have offered up
" their lives on the altar of their country's freedom. Hundreds of thousands of
" our people fell bravely fighting on the battle-field, or were basely massacred in
" cold blood by the English enemy. Millions of our race died the death by
" English-created famine, and millions are scattered over every portion of the
" habitable globe. Yet the Irish race to-day, at home and in exile, is more strong,
" more vigorous, more thoroughly united, and more thoroughly determined to
" carry on the war against England than at any period in their history. To-day
" the Celt and the Saxon are more deadly enemies than on the day when Strong-
" bow first set his accursed foot on the soil of Ireland. True it is that the Irish
" race at home, under the blighting rule of England and her vampire landlord
" garrison, is becoming rapidly diminished and impoverished; but, thank God,
" we have an Irish race abroad—in exile—hardy, vigorous, prosperous, and, if
" possible, more bitterly hostile to the enemy than our people at home. In
" London, in Manchester, in Liverpool, in every important city and town in
" England and Scotland, there are large Irish populations. In Australia and
" Canada there are important Irish colonies; but in the glorious Republic of the
" West there is a young Irish nation from 10 to 12 millions of our race, or
" double the present population of Ireland. This young Irish nation in America,
" over whose flight from Ireland the London 'Times' gloated when it acclaimed
" that they were 'going with a vengeance' is trained to liberty. It burns with a
" love for the old land, and it thirsts for vengeance on her despoiler. Through-

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[Continued.]

“ out the struggle of centuries the Irish race has never for an hour accepted the English conquest. The condition of Ireland has always been one of either open insurrection or veiled rebellion. Every Irish yearns for the day when

“ ‘ Old Ireland shall be free from the centre to the sea.’

“ The struggle against the invader has assumed various shapes. From the days of Hugh O'Neill to those of James Stephens, whom I am proud to see among us here this evening, we have had periodic uprising against English rule. From the days of the Hearts of Steel and the Whiteboys to those of the Land League, we have had uprisings of the people against the English garrison—the landlords. To-day the struggle is against landlordism, to-morrow it will be for national independence, and when the fight for Ireland's liberty arrives, let us hope that another Hoche will arise to invade Ireland with an army, not of 15,000, but with 100,000 Irishmen sworn not to turn back.”

Do you approve of that speech?—That is a speech undoubtedly in advance of the position that I have attributed to Mr. Egan. It appears to be a sort of speech that an Irishman, in his position, might have made at a St. Patrick's Day celebration or night celebration.

60,922. Whatever it be, this is published in the “Nation,” one of the organs supporting the Land League?—So I understand.

60,923. Do you admit or deny that such an article would be regarded by the physical force party as indicating Patrick Egan's, the Treasurer of the Land League's sympathy with the physical force movement?—I should think it would depend very much upon the circumstances under which the speech had been delivered; if it was an after-dinner speech, I should think the men you mention would not pay any attention to it.

60,924. I am speaking of the men who read it in the paper?—Quite so.

60,925. Do you represent that simply because it was delivered by Patrick Egan after dinner, it would not be regarded as an advocacy of the principles it contained?—I should say it would not be regarded of the same importance, of the same weight, as if delivered under any other circumstances.

60,926. Whether under other circumstances, or of the same weight, do you admit or deny that it suggests a direct sympathy with physical action?—I do not wish to enter into a detailed analysis of the speech, nor would their Lordships desire me, I am sure, to do so; but it appears to me, speaking generally, that the speech may fairly be considered to be in advance of the position I have attached to Mr. Egan.

60,927. An extreme speech?—An extreme speech.

60,928. Did you know that Egan was acquainted with Mullett?—No; I did not know that he knew Mullett at all.

60,929. I wish to call your attention to a passage in “United Ireland” of the 24th of March 1883, attributed to Mr. Egan.

(*Sir C. Russell.*) Is that in evidence?

(*The Attorney-General.*) I think not at present. Again I point out to you at this time you will observe Mr. Egan's connexion with the kindred association in America:—

“ I know Mullett personally as a man of sound business principles and integrity of character. I do not believe he has turned informer.”

(*Sir C. Russell.*) You said that he was resident of the League at this time, or connected with the League in America at this time. He was not, I am told.

(*The Attorney-General.*) Whatever my learned friend may be told or not, he was subsequently the president of the League.

(*Sir C. Russell.*) Two years afterwards.

60,930. (*The Attorney-General.*) He was subsequently president of the League?—Yes.

60,931. Do you know when he first joined the National League as a member in America?—I do not know at all. I should suppose he was a member of it from the commencement.

60,932. To the best of your belief, was not Egan a member of the National League from the time he went over to America?—Certainly.

60,933. He still holds the trust funds of the National League with you, does he not?—No.

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[Continued.]

60,934. When did he cease to be trustee?—He ceased to be trustee when he went to America.

60,935. And he has not been trustee since?—No, he has not acted as trustee.

60,936. Were the funds in his name when he went to America?—He was one of the trustees before he went to America.

60,937. Were they in his name when he went to America?—I believe so; I am not sure whether he transferred his trusteeship. I am not sure whether they were transferred—the funds in Paris, I am speaking of now—whether they were transferred to another name or not.

60,938. Whether he acts or not, is he not still one of the trustees of the funds which belong to the National League?—I am inclined to think he is not. I could not precisely answer that question.

60,939. Whether he be connected with the matter or not, I call your attention to this—that this is a statement of knowing Mullett “as a man of sound business “principles and integrity of character,” and “I do not believe he has turned informer.” That you know is very shortly after the 24th of March 1883, when Carey had given evidence?—Yes.

60,940. Do you know one way or the other whether Mr. Egan suggested the formation of the “Martyrs’ Fund”?—No, I never received any information upon that subject.

60,941. Have you never heard that before?—No.

60,942. Do you know one way or the other whether Mr. Egan had anything to do with the formation of the “Martyrs’ Fund”?—No, I never heard anything about it.

60,943. It is what I may call a sealed book to you. It may be true or it may not?—Quite so.

60,944. Do you approve of the “Martyrs’ Fund”?—Do you mean the “Freeman” Fund?

60,945. Yes?—That is the fund that they raised for the relief of the wives and children of the men who were executed in Dublin.

60,946. The fund that was raised to give money to the friends of those who were executed, and to give nothing to those who had turned informers, or rather nothing to those who had pleaded guilty, I think?—I understood that fund was raised for the purpose of providing for the families who had been left destitute by these executions, and that Patrick Ford afterwards decided that none should be given to the families of those who had pleaded guilty. I see nothing criminal in the proposal to raise the fund, or in the raising of the fund, but I think that Mr. Ford’s decision to refuse relief to the families of those who had turned informers was a very cruel one.

60,947. I think you seem to know more about it than at first sight I should have gathered from your answer. Just consider. You now say it was originally proposed to give it to everybody?—I understood that.

60,948. Upon what information did you understand that?—Because I saw at the time Mr. Ford himself announced, after the raising of this fund, that it should be distributed in this way, so, I presume, that there was no distinction made at the originating of the fund.

60,949. In what did you see that Mr. Ford made that announcement?—I have not the slightest notion.

60,950. You say to me that not knowing it personally, you understood, from information conveyed to you, that Mr. Ford originally announced that all the people would receive relief?—I did not make that statement to you.

60,951. That you saw it in some paper?—No, I say that I assumed it was so, since the distinction was made after the collection of the fund.

60,952. Then I understand you to say that that is an assumption of yours because you know now that the people who do participate are only the families of those who died on the scaffold, as distinguished from those who pleaded guilty?—That is an assumption of mine on account of my having seen, after the collection of the fund, that Mr. Patrick Ford had made this announcement.

60,953. Where did you see that?—Most probably in the newspaper.

60,954. In the “Irish World”?—I should think probably not.

60,955. Tell me the paper?—Most likely either in the “Freeman’s Journal” or in “United Ireland.”

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[Continued.]

60,956. Will you pledge your word that you have not seen that this fund was started by Ford at the suggestion of Egan?—No, I know nothing about that. I have never seen that statement.

60,957. You have never seen that announced?—No, never.

60,958. Is it spoken of as the “Martyrs’ Fund.” We know it is to be given to the families of those who died on the scaffold. I wish to know distinctly one way or the other—do you or do you not approve of that fund under that name?—I approve of it so far that I consider it is quite right to relieve people who are innocent victims, and who are suffering from a crime which was not due to them?

60,959. I put it again to you. Do you approve of its being described as the “Martyrs’ Fund”?—I do not think that is a correct appellation.

60,960. Whether it be a correct appellation or not I ask you, Mr. Parnell, in your opinion would not that fund, being called a “Martyrs’ Fund,” tend to enhance those men or their memories in the good opinion of the extreme section in Ireland?—I should think so, yes; or at all events some of them.

60,961. You remember, of course, the passage in “Parnellism and Crime” respecting the attendance of Frank Byrne at the “Martyrs’ Banquet.” First, I will take the martyrs’ meeting of the 2nd July 1883, that is not very many days after or before the date I put to you of the statement of Egan’s in “United Ireland” that Curley was a patriot—a sterling patriot—did you know of the holding of the “Martyrs’ meeting”?—I heard of the meeting in New York at which Mr. Byrne was alleged to have made some statements connecting himself with the Invincibles conspiracy.

60,962. When did you hear of that?—I think I must have heard about that shortly after the meeting took place.

60,963. I am going to put it to you for a reason you will see presently. Did not you know of the New York Martyrs’ meeting which was held on the 2nd of July 1883 very shortly after it occurred?—Yes, I heard of that soon after the meeting was held.

60,964. Did you take any pains to ascertain who had been the associates or supporters of the quondam secretary, Mr. Byrne, at this meeting?—I cannot say that I ever saw a list of those who were present.

60,965. That is not an answer to my question, whether you saw a list?—Until “Parnellism and Crime” was published.

60,966. Have you taken any pains to ascertain whether that was true or not?—Which was true?

60,967. The statement as to who attended the meeting quoted from the “Irish World”?—I have made some inquiries as to one of the persons alleged to be there.

60,968. Who?—Mr. Egan.

60,969. You have made some inquiries as to that?—Yes.

60,970. Did you find whether he was there or not?—I found that he was not there.

60,971. I will see, presently, whether it is alleged he was there or not. Do you suggest that it is alleged that Patrick Egan was there?—I thought it was alleged that Egan was there. I was under that impression.

60,972. Did you make any inquiries as to any other persons who were there, or as to the part that Byrne took in it?—As well as I recollect that was the main thing I made inquiry about, as to whether Mr. Egan was there or not. I took as a matter of course that Frank Byrne must have been there, connected as he was, and one of the principal figures.

60,973. Did you not also hear, immediately after it took place, of the Phoenix Park banquet of the 6th May 1885, at which the horrible description of the noble act of the wife was given?—That is the meeting—that is the banquet I am referring to.

60,974. Did you not hear the earlier one as well?—No, I only heard of one dinner.

60,975. I did not say dinner, I said martyrs’ meeting?—That is the one I referred to—the banquet—that is the one I heard of.

60,976. The 2nd July 1882 was the martyrs’ meeting—was the meeting to support the martyrs’ fund?—I did not hear about the martyr’s meeting.

60,977. The banquet you did hear about?—The one I referred to is the banquet.

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[Continued.]

60,978. Now, you mention a man—E. L. Carey—did you know him?—Carey, no.

60,979. Nothing to do with James Carey?—No, I do not recollect him.

60,980. Do you remember E. L. Carey, one of the gentlemen, a man of business and position, who received you on the occasion of your visit to America?—Where?

60,981. Well, I think he was present as one of the delegates summoned by you at the final meeting of the New York Hotel?—He possibly may have been. I will refer to the meeting and let you know; I have no recollection.

60,982. Kindly look—do you know one way or the other—did it come to your knowledge that E. L. Carey was also present at the banquet to Byrne?—No, his name does not present any significance to me whatever as knowing anything of him or ever having seen him.

60,983. Do you know one way or the other whether E. L. Carey was one of the persons who were delegates to the Philadelphia Convention in the year 1883?—No.

60,984. And your representative in October 1887?—No.

60,985. You have no knowledge of that at all?—No; I have no knowledge.

60,986. You stated yesterday, or, I think, the day before yesterday, quoting a document, which was handed to you by the officer of the Court, copied from the sheet of the “Irish World,” that the Skirmishing Fund had ceased to exist before you went to America—do you mean distinctly to say that?—That is my impression from the date.

60,987. I did not say your impression from the date—do you mean to represent to my Lords that your belief is, that the Skirmishing Fund had ceased to exist before you went to America?—The collections had ceased to be made for it in the “Irish World,” or, as far as I knew, any where else.

60,988. I must ask you kindly to answer my question?—The fund may have remained in whole or in part or have been spent.

60,989. I asked you nothing about the fund remaining in whole or in part. I desire to know, is your representation that the Skirmishing Fund as a fund for certain objects had ceased to exist before you left for America?—I did not know anything about it.

60,990. Have you not heard, or have you followed the evidence that has been already given with reference to this Skirmishing Fund?—No; I have not indeed.

60,991. I call your attention, if you please, to the “Nation” of the 31st July 1880. It is under the head of Irish-American items, page 6, column 3, said to be a quotation from the “New York Weekly Union.” “The ‘New York Weekly Union’ contains the following—John Devoy”——

(*Sir C. Russell.*) Again I ask your Lordships, how is this evidence? This is not any statement, or the opinion of any speaker or speech. He is asked his opinion. This is reading out something which can have no relevancy, and is a quotation from a paper in America, which is re-inserted in an Irish paper, purporting to state certain facts. How can that be admissible evidence in any shape or form?

(*The President.*) It is already in evidence, and it is quite competent to call the witness’ attention to something in evidence. I do not know what question is going to be founded upon it.

(*Sir C. Russell.*) It is admitted in evidence on one ground, and one only, namely, that it was by Mr. T. P. Sullivan. Does your Lordship recollect that?

(*The President.*) I repeat that I do not know the question that is going to be founded upon it. I think it is a sandy foundation; still it is admissible in evidence.

60,992. (*The Attorney-General.*) I will state at once to your Lordship it is part of the evidence which I admit there has been already a great deal—as to the character of the information which was being disseminated by the “Nation,” one of the Land League organs, though not the most official and dissiminated by T. P. Sullivan; and in addition, as your Lordships will find, it has a certain bearing upon the statement in Mr. Parnell’s evidence as to the existence or non-existence of dynamite money:—

“John Devoy, one of the trustees of the Skirmishing Fund.”

John Devoy was not Donovan O’Rossa.—I understand that perfectly.

60,993. I am very much obliged to you for agreeing with me on one occasion, an obvious one I admit. This is the 31st July 1880, John Devoy was not in the O’Donovan Rossa section?—That is so I should think.

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[Continued.]

60,994. You have always understood that whatever may have been his part, little or great, in the Land League movement, John Devoy has worked with the section that were not O'Donovan Rossa?—I should think that at those time when Mr. Devoy has been connected with any revolutionary or physical force party in America, it would have been the party in Clan-na-Gael.

60,995. Do you know one way or the other from the documents which have been put in evidence, the original documents, whether John Devoy was a member of the Clan-na-Gael or not?—I do not. As a matter of fact I do not believe he has been a member of the Clan-na-Gael for a number of years past.

60,996. You have accepted the view I wished first to get, namely that John Devoy was not in the O'Donovan Rossa section.

“ The substance of the proposal made by the Philadelphia committee is that
 “ the trustees shall admit Mr. Crewe and Mr. Brennan as part of their body, or
 “ that they shall set apart 5,000 dollars to be used for a blow against England by
 “ persons beyond our control. Both these proposals have been declined by the
 “ trustees. We do not recognise the committee as having any authority. We
 “ shall take steps to call an authorised representation of the subscribers, and
 “ satisfy them that Rossa's charges are unfounded. We regard it as an act of
 “ treachery that Rossa should have exposed one act of the trustees, which was
 “ to take measures to prevent or punish wholesale evictions in Ireland. We had
 “ made certain preparations with that object, but Mr. Rossa's betrayal of the
 “ secret led to the prevention of the plan going into effect. We have in
 “ preparation an address in defence of the trustees which will soon be ready for
 “ publication. It was our action with reference to evictions that gave rise to the
 “ report that we had used the money for Parliamentary agitation. Mr. Rossa
 “ has no evidence that we have made any such use of the money.”

Was it charged, to your knowledge, against Devoy that the Skirmishing Fund money had been used for Parliamentary agitation?—Yes, it was—yes, I saw that.

60,997. Now, I call your attention to that, and I remind you——?—I do not know that it was charged against them, but it was charged that the Shirmishing Fund had been used.

60,998. In what year?—I think it was prior to the formation of the Land League, 1879.

60,999. Now, just observe. Mr. Devoy is here speaking:—

“ Devoy had, with others, prepared plans for taking measures to prevent
 “ or punish wholesale evictions in Ireland. Mr. Rossa's betrayal of the secret
 “ led to the prevention of the plan going into effect.”

Did not you understand that, or would not you understand that, as referring to a plan for violent action?—I would understand it as a reference, probably, to a plan of physical force action.

61,000. Physical force by dynamite?—Certainly not.

61,001. I must ask you this?—“ To prevent and punish evictions in Ireland.” I do not understand that has any reference to dynamite, and I do not believe it.

61,002. “ 5,000 dollars to be used for a blow against England by persons beyond our control.” What did that point to?—I considered that pointed to some attack on eviction parties in Ireland.

61,003. An attack with arms?—An attack by armed men.

61,004. That attack would be, as you say, of physical force?—Yes, of physical force. I consider that that pointed to an attack upon the troops in Ireland, or upon the police—the troops or the police when going to enforce evictions—that is what I understand.

61,005. An attack upon the police or troops when they were engaged in carrying out legal decrees?—Quite so.

61,006. Now, I call your attention to this; that it is a statement that they had made certain preparations to that effect, and that Mr. Rossa's betrayal of the secaet led to the prevention of the plan going into effect——

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[Continued.]

(*Sir C. Russell.*) I wish again to point out this to your Lordship, because it does not seem the way the Attorney-General has put it. He has put it as a statement by John Devoy. What it really is, is a statement in the Dublin "Nation."

(*The Attorney-General.*) In the "Nation," you mean.

(*Sir C. Russell.*) Yes, in the Dublin "Nation," purporting to be an extract from the New York "Weekly Union," which purports to give something John Devoy said.

(*The President.*) Well, it is given to the world in the "Nation," one of the organs of Mr. Parnell's party; and subject to the observation you now interject, that this is something quoted from some other newspaper, it is admissible in evidence, and I cannot prevent the Attorney-General using it.

(*Sir C. Russell.*) I objected because the Attorney-General said so and it is reported to have said so.

(*The President.*) Having once called attention to that fact it is sufficient; we know that the Attorney-General is going upon the assumption that it is true.

61,007. (*The Attorney-General.*) Might it be true or false?—Allow me to explain. I am speaking of the charge made against the Skirmishing Fund or the persons responsible for the Skirmishing Fund, that they had advanced money for this purpose in Ireland, and that it was used for Parliamentary purposes; but as to where I saw it I cannot at all say. I should think it is very unlikely that I saw it in the "Nation" newspaper. I probably saw it sometime afterwards.

61,008. It may be true or false, but take it as a report only of Devoy's statement. Would not it indicate to the readers of the "Nation" that John Devoy had been taking part or proposing something to bring about an attack upon the police and soldiers?—I have never heard it.

61,009. That is not the question. Can you attribute any other construction to it?—Most undoubtedly. If John Devoy was concerned in a particular thing, and his name was mentioned.

61,010. Be good enough to answer my question. If this is John Devoy's language, can you attribute any other meaning to it than that he, John Devoy, had taken part in the preparation of a plan for an attack on the troops and police?—Most undoubtedly—prior to the Land Act of 1879.

61,011. This is a statement of the 31st July 1880?—And an attack which had been abandoned and not carried out.

61,012. Now, you recollect very well the circumstances connected with the Kilmainham Treaty?—I am afraid we shall have to enlarge the number of treaties if you wish me to admit that it was a treaty.

61,013. Be kind enough to listen to my question. I will employ any word you choose. You remember the transactions of the month of April and May 1882?—Perfectly.

61,014. Referred to as the Kilmainham Treaty?—Yes.

61,015. Now I quote another part of your evidence which is admitted to be true:—

"I won't deal with the question of what the organisation was or our outrages for a moment, but you are said to have expressed your belief that Davitt, Egan, Sheridan, and Boyton would use all their exertions, if placed in the position to do so, to advance the pacification."

I think you remember that letter being written in the House of Commons?—Yes.

61,016. It is a true statement?—Yes, that is.

61,017. Sheridan's influence was of sufficient importance in the West from the fact that he had been a chief organiser of the Land League in Connaught before his arrest. Now is it your view, if you please, that at that time—was it your view that the outrages prior to 1882 had been the work of secret societies?—I should think so—very possibly.

61,018. Have you ever expressed the opinion prior to to-day that those outrages were the work of secret societies?—I should think that the outrages were the work of small local societies. That was always my impression.

61,019. I must ask you to be kind enough to answer my question. Have you ever expressed the opinion I am speaking of—publicly expressed—before to-day that the outrages prior to 1882 were the work of any secret society?—I cannot refer to any particular expression of opinion about it, except my statement in the House of Commons. I have not spoken much about the matter in any case?

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[Continued.]

61,020. Your statement in the House of Commons?—In the House of Commons. I should wish to have it put in—my speech.

61,021. What date?—In reply to Mr. Forster.

61,022. It has been already put in and read?—Yes.

61,023. Except that statement in 1883, you do not remember any statement up to the present time?—I do not recollect I ever spoke about the matter on any other occasion.

61,024. Now, let me carry this further. When do you say you formed the opinion it was the work of secret societies?—I have always considered that the outrages in Ireland were the work of secret societies.

61,025. I do not want a general answer, I ask you when did you form the opinion that the increase of outrages in 1879, 1880, and 1881 were the work of secret societies?—I formed the opinion at that time that the outrages were going on.

61,026. Then I understand you to say distinctly that in the years 1879, 1880, and 1881 you formed that opinion?—Certainly, I never had any other opinion.

61,027. Did you on any one single occasion, in any public speech that you made, ever denounce secret societies?—I daresay that I have.

61,028. Not daresay you have?—I could not really tell you.

61,029. Not daresay you have—that is not my question. I am sorry of being obliged to press you as I am, but I must get your answer. I ask you to follow my question. Will you undertake to say that you ever denounced secret societies in any public speech made in Ireland between 1879 or the end of 1878, and the middle of 1881?—I do not call to mind any such denunciation in reference to secret societies at all.

61,030. Did you ever refer to them?—I do not think I ever referred to secret societies in any speech.

61,031. Now, supposing secret societies existed adverse to the Land League. Your case is, that a very large proportion of the population were members of the Land League?—Quite so, members of the Land League or in sympathy with the Land League.

61,032. If secret societies had existed adverse to the Land League, would there have been the slightest difficulty in the Land League obtaining and giving evidence as to what the secret societies were?—I cannot say, indeed. I never made any inquiry.

61,033. Is it not a question of inquiry. You are represented to be, and no doubt are, skilled in Irish affairs. I press you to give me a fair answer to the question. If secret societies existed in the years 1879 and 1880 adverse to the Land League, have you any doubt that overwhelming evidence would have been forthcoming as to the existence of those secret societies?—I think possibly there might, and possible there might not have been. There was great distrust in Ireland as to the administration of the law, which mistrust made the people very adverse to giving evidence or getting the name of informers.

61,034. Have you any doubt that if there were secret societies adverse to the Land League, in many cases evidence would have been forthcoming?—I think even in that case evidence would not have been forthcoming, because the people in Ireland objected to give evidence against their neighbours on account of their distrust of the administration of the law, a distrust obtained by lengthy experience and by the traditions of their history.

61,035. Did you ever in 1879 and 1880 or 1881 assist in putting down some societies?—I have already told you I never referred to secret societies in any way during those years as far as I recollect.

61,036. Did you ever caution them against joining them?—I think that that answer—

61,037. You think that covers it?—Yes.

61,038. Do you remember opposing—I do not call it the Crimes Act, because I think it was called the Habeas Corpus Suspension Act; it is not the same that you call the Coercion Act—but do you remember opposing Mr. Forster's Act of 1881?—Certainly.

61,039. Was Mr. Forster's Act brought in consequence of the abnormal increase of crime? Rightly or wrongly, was it brought in consequence of the abnormal increase of crime?—Yes.

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[Continued.]

61,040. Was it justified on the ground of the abnormal increase of crime?—I do not think so.

61,041. Do you represent that?—Yes.

(*The President.*) Justified—how do you mean?

61,042. (*The Attorney-General.*) I quite see, my Lords. I did not see the double construction at first. I did not mean justified from your point of view. I beg your Lordship's pardon. Was it not supported in argument by the Government in consequence of the abnormal increase of crime?—Undoubtedly.

61,043. I mean justified, or attempted to be justified, by this increase. Now, sir, was not the contention of Mr. Forster, and Sir William Harcourt, and the other supporters of the Government that there were these organisations working secretly, that committed these crimes?—I dare say those were among the reasons given by Mr. Forster—the reason of the existence of secret societies.

61,044. And that behind the secret societies was the Land League?—The statement about the Land League was, I think, that the Land League branches was assisted by village ruffians and broken-down labourers, or something of that kind, and immediately the Coercion Act was passed they had all run away and that the police had told him so.

61,045. That these secret societies were supported by the League and in sympathy with the League?—I do not remember Mr. Forster ever making that statement.

61,046. I did not say he made that statement, that is not a fair way of dealing with my question, if you forgive me. We have heard some of the arguments urged by the supporters of the Bill?—They may have been. I have no particular recollection. I was not there much during the discussion on that Bill.

61,047. At that time did you still hold the opinion that it was secret societies hostile to the Land League?—I have always held the opinion that crime in Ireland was due to the secret societies.

61,048. Did you hold that opinion then?—That it was carried out by members of secret societies.

61,049. Did you hold the opinion you have pledged your word to to-day, namely, that the crime of 1879, 1880, and 1881 was due to the existence of secret societies?—I should think that I had formed that opinion then.

61,050. Did you not say in the House of Commons that secret societies had ceased to exist?—I may have made exaggerated statements in the House of Commons.

61,051. Did you not say in the House of Commons, as an argument against the Bill, that secret societies had ceased to exist?—I may have made that statement, but I have no special recollection of it.

61,052. You now represent if you made that statement it was an exaggerated statement.

61,053. Did you believe it to be true?

(*The Attorney-General.*) I really must ask my friend——

(*The President.*) I did not catch what the statement was.

(*The Attorney-General.*) I only desire to be allowed to pursue my cross-examination.

(*The President.*) Put your question.

(*The Attorney-General.*) I only desire to be allowed to proceed anyhow.

(*Sir C. Russell.*) It was not meant for you.

(*The Attorney-General.*) My Lord, it is with reference to the observations that your Lordships does not hear. I desire to put my question, and I think I was not irregular.

(*The President.*) You had better conduct the case as though those observations were not made.

(*Mr. R. T. Reid.*) The only observation was one that my friend the Attorney-General happened to hear—it was not intended for the Attorney-General to hear.

(*The President.*) I must say this, though I do not hear distinctly what is said, I do hear a running comment which I think must be exceedingly inconvenient to the counsel engaged in the case in examining a witness.

(*Mr. R. T. Reid.*) I can only say I spoke quite low and slow to Sir Charles Russell.

(*The Attorney-General.*) I do not think my friend would intentionally do it.

(*The President.*) Mine was a general observation, and not applying to this particular matter.

(*The Attorney-General.*) If it does not occur again I shall be glad. I have personally been inconvenienced by it the last two or three days.

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CHARLES STEWART PARNELL.

[Continued.]

61,054. Now, Mr. Parnell, will you allow me to read a passage from volume 257 of Hansard, of the 7th January 1881. I believe it is page 200, but sometimes the page is not quoted correctly.

“ Now the choice that we have before us is this, whether you will have an
 “ open organisation, which undoubtedly has committed some mistakes, whose
 “ action in some respects is open to blame and criticism—I do not wish to deny
 “ for a moment; this action is being very fast modified by experience and by
 “ advice, in such a way as to make it exceptional—whether you will have such an
 “ open organisation or whether you will have a secret conspiracy. Secret con-
 “ spiracies do not now exist in Ireland.”

Do you remember using those words?—Yes, I recollect it personally.

61,055. Did you believe them to be true when you read them?—I cannot exactly say without reading the context of the speech what my view was in urging that argument, but it is possible I was endeavouring to mislead the House on the occasion.

61,056. Do you mean, sir, it is possible you were endeavouring to mislead the House on that occasion?—In order to cut the ground from under the argument of the Government in support of the Bill.

61,057. Do you mean, sir, by a statement false in fact, and contrary to your own opinion, which you have sworn to to-day?—I mean that it was a boastful and an exaggerated statement, and probably designed to mislead the House upon the question of the greater or less existence of secret societies in Ireland.

61,058. Mr. Parnell, you have used the words “mislead the House.” Have you ever directly or indirectly until this moment withdrawn that statement?—I should think that I have never thought of the statement from the time I used it until now, or ever had it brought under my notice.

61,059. Did you or did you not intend to mis-state the fact when you made that statement to the House?—It is very possible that I did.

61,060. Deliberately?—Deliberately; quite possible.

61,061. This you know, Mr. Parnell, is no question of mere matter of opinion but a statement of fact to the best of your knowledge “secret societies do not now exist in Ireland?”—It is a statement of my opinion as to whether secret societies existed or not.

61,062. Listen.

“ I used to hear of the secret conspiracy of Ribbonism, a most powerful
 “ organisation, an organisation which I have been informed had its head-quarters
 “ in Manchester, but if you crush down the people with coercion, the result must be
 “ that you will have Ribbonism and kindred societies for the purpose of doing that
 “ by secret conspiracy which you prevent them from doing by open organisation.”

Now I call your attention, Mr. Parnell, that that speech was made in opposition to Mr. Forster's Act for the putting down of crime?—Quite so, Mr. Forster's Act for the suppression of the Land League.

61,063. You are aware that at the present time in the course of this case it has been suggested that these outrages were the work of societies kindred to or of the same character as ribbonism?—I think that that is very possibly so. I have no special recollection of it.

61,064. Do you mean to say that you have not paid sufficient attention to the conduct of this case by my honourable and learned friend Sir Charles Russell not to know that from beginning to end in cross-examination, and in speech, that has been the case which has been set up?—Undoubtedly I know the case which has been set up by Sir Charles Russell perfectly. I thought you were referring to the arguments used in behalf of the Coercion Act.

61,065. Do you think that statement did mislead the house?—I am afraid it did not, for they passed the Act.

61,066. You wished it to mislead the House?—I should think so, certainly.

61,067. You wished it to have the effect of preventing the Act being passed?—I should think so.

61,068. And you made a statement and thereupon placed an argument knowing your statement to be untrue?—Knowing my statement to be at all events a boastful and exaggerated one.

61,069. And a gross exaggeration?—Very probably a gross exaggeration.

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[Continued.]

61,070. An exaggeration of what?—An exaggeration as to the extent to which secret societies existed in Ireland.

61,071. And not founded on fact?—Not founded on any information in my possession.

61,072. “Secret societies do not now exist in Ireland” is your statement, you know?—Yes, it was a very broad and a very sweeping assertion.

61,073. Now, I point out to you that that is a statement founded on fact, not a statement depending upon a matter of opinion, but founded on fact. I ask you, did you or did you not mean the House and, through the House, the country to understand that in your deliberate judgment secret societies did not exist in Ireland at the time?—I meant of course to exaggerate the effect that the Land League had had in diminishing secret societies, undoubtedly.

61,074. What statement of fact do you now allege you were exaggerating?—The existence of secret societies; the extent to which the Land League had diminished the existence of secret societies. I considered at the time and I consider still that the Land League had diminished the number of secret societies in Ireland, but it had not diminished them to the extent of sweeping them away altogether, as I then stated.

61,075. When you said to me a few minutes ago, that you believed that secret societies did exist and were the cause of crime in 1879 and 1880, did you remember that statement in Hansard?—I did not, certainly not, but I should have given you the same answer if I had remembered it.

61,076. Having that statement now recalled to your mind, do you now adhere to the view that there were secret societies adverse to the Land League? Undoubtedly. It is beyond a doubt.

61,077. Now, Mr. Parnell, if there were secret societies adverse to the Land League what influence could Sheridan have had over them?—Secret societies adverse to the Land League?

61,078. Yes, that is my question?—I do not suppose he could have had any influence over them.

61,079. If there were secret societies adverse to the Land League, what influence could Boyton have over them?—He could not have had any influence over them.

61,080. Or Sheridan; I mentioned Sheridan?—And I never represented that Sheridan or Boyton had or could have any influence over any secret societies.

61,081. No, pardon me; you have stated now your belief that the abnormal increase of crime in 1879 and 1880 was due to the existence of secret societies?—No; I have stated that crime, according to my belief, is the work of secret societies.

61,082. I press you again. If your statement is now true that there were secret societies adverse to the Land League; that is to say, which were doing work which the Land League did not wish to be done, what influence could Davitt, Egan, Sheridan, or Boyton have had with the members of such societies?—I do not know that they could have had any influence, and I did not suppose they could have had any.

61,083. If you believed, sir, if it is true that you and your friends were anxious to combine to do all in your power to put down outrages, what did you mean by recommending Davitt, Egan, Sheridan, and Boyton to use all their exertions to do so, if they would have had no influence over the secret societies?—The influence that they were to use was the influence—to recommend the tenants to take advantage of the Arrears Act. It was chiefly indirect influence, and also that they would denounce outrages.

61,084. But, now, just observe, was this a true statement in the view of your evidence to-day, was this a true or a misleading statement, that Sheridan's influence was of sufficient importance owing to the fact that he had been the chief organiser of the Land League in Connaught?—I prefer to take my own account of what took place at the Kilmainham interview to the account of anybody else.

61,085. Have you ever denied that that statement in that letter was an accurate representation of part of what passed?—Of part of that part.

61,086. With reference to this single incident of your belief, that Davitt, Egan, Sheridan, and Boyton would use all their exertions to advance the pacification, was that a true statement or a false statement?—That was a true statement.

61,087. Was it true at the time that Sheridan's influence was of sufficient importance in the west owing to the fact of being chief organiser of the Land League in Connaught?—Undoubtedly.

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[Continued.]

61,088. How, Mr. Parnell, do you reconcile that statement which you now make that those are true with the statement you have made to me a short time ago, that those men would have no influence in connexion with secret societies?—At that time the crime was being committed by the sons of tenant farmers, according to my belief and information, who had formed themselves into small local secret societies, and were going about intimidating the larger tenants from paying their rents for protective purposes. The passage of the Arrears Act would have removed the inducement to the formation of these secret societies, and would have been the main preventive of crime. The action of the organisers of the Land League would also have been used in the direction of generally dissuading the people from crime, and in that way crime would have been diminished by the two effects—the effect of the Arrears Act, and the removal of the arrears, and also by the specific action of the gentlemen mentioned.

61,089. Now, just think, sir, what you have now said; you have now said that your information was that secret societies did exist?—Undoubtedly.

61,090. That secret societies had been formed underneath the Land League by the persons you have mentioned, the sons of tenant farmers. Now, which statement is true, the one which you said a little time ago you made to mislead the House, when you said that no secret society existed, or the statement you now make that secret societies did exist?—The statement that I made in the House in reference to the Arrears Act is the true statement. It was formed upon better information.

61,091. I never said anything about the Arrears Act, sir. I am speaking of these two statements. You must kindly attend to my questions. Which of those statements is true, the one you make to-day or the one you made in the House?—The one I make to-day is the statement I think to be the true one, and represents most accurately the state of affairs at the time.

61,092. You have expressed your opinion and your intention of always working by means of constitutional action?—Yes.

61,093. Do you regard secret societies as constitutional action?—Certainly not.

61,094. Certainly not?—Certainly not.

61,095. If what you now say is true, and that you believed secret societies did exist, can you explain to me how it is that, as far as I know at present, you have never, during the whole course of the seven or eight years, used one word with reference to the putting down or detection of secret societies?—The question was not at any time pressing. The Arrears Act came into operation with the result that crime immediately diminished in the most remarkable and material fashion. Crime having diminished the necessity for public action with regard to secret societies disappeared.

61,096. That is your explanation?—Yes.

61,097. Secret societies would, of course, be one of the methods of physical warfare—physical force?—Secret societies not of this character.

61,098. Secret societies resulting in agrarian crime would (I refer to that last quotation from Devoy—alleged to be Devoy's) would be one of the forms of carrying on the land warfare?—I do not think so at all, not this kind of secret societies we are discussing now.

61,099. Agrarian crime resulting from them?—I do not think so.

61,100. That is your representation?—That is my belief; that what was intended at that time was that attacks should be made by armed detachments upon the troops and police when going in the daytime to effect evictions. It was agrarian warfare.

61,101. You are not applying your mind to my question. What I am putting to you is that, assuring secret societies to exist in opposition to the Government, or in opposition to the law of the land, one of the developments or one of the results of those secret societies would be that you would have crimes committed by their members?—Undoubtedly.

61,102. Your argument had no bearing at all upon the Bill or the introduction of the Bill unless that was so?—Quite so.

61,103. You were arguing against the Peace Preservation Bill of Mr. Forster on the ground there were no secret societies and crime was not due to them?—Yes, undoubtedly.

61,104. Have you ever denounced or said anything until your evidence in the box in condemnation of those men, allied to you or not allied to you, who were continuing the conduct of physical force—the line of conduct of physical force?—As I say, the

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[Continued.]

necessity disappeared after the passing of the Arrears Act. Crime diminished, and the necessity for denouncing crime or secret societies disappeared with it.

61,105. Does that observation apply to the years 1884 and 1885, which were long after the passing of the Arrears Act. Do you represent the crime of 1884 and 1885 was the work of secret societies?—I am not under the impression that there was much crime in those years. I suppose the crime there was the work of secret societies.

61,106. Did you form the opinion in 1884, and 1885, and 1886 that the increase of crime was the work of secret societies or not?—I never saw any reason to alter the opinion I always held upon that point: that crime was the work of secret societies of one kind or another, small or great.

61,107. I must put this one further question to you upon this. You have got a great many colleagues working together with you?—Yes.

61,108. And two, if not three, newspapers we now know?—Yes.

61,109. Can you point to any single denunciation of secret societies by any one of your colleagues in the whole course of the time from 1879 to 1888?—I will examine their speeches and endeavour to inform you upon the point.

61,110. It is not a question of endeavouring to inform me. I ask you, do you know of any such one?—I cannot call to mind any example at present.

61,111. Do you know of any denunciation or argument against secret societies in any one of the papers?—I have not noticed such.

61,112. Did you know of Brennan being acquainted with any of the Phoenix Park murderers?—No, I never knew that he was acquainted with any of them.

61,113. I think you said you last saw Brennan about the month of February or March 1883?—Yes.

61,114. Have you had any communication with him since?—No, I have not communicated—I have not had any occasion to communicate with him since.

61,115. Then you are not able to inform me of any facts which would afford evidence one way or the other as to whether or not Brennan was acquainted with them personally?—No, I do not know.

61,116. Do you remember the Cunningham and Burton incident. The Cunningham and Burton dynamite explosions?—Yes.

61,117. They were, I think, if I remember right, at the House of Commons, at the Tower, and the Underground railway?—Yes.

61,118. All occurred about the same time?—Yes.

61,119. And attracted a very considerable amount of attention?—Yes.

61,120. Did you know of a fund being opened for the defence of Cunningham and Burton?—No.

61,121. You never heard of that?—No, I never heard of it.

61,122. That is quite news to you, Mr. Parnell, is it?—There may have probably been a fund opened, but I have no recollection or knowledge of it.

61,123. As far as you know you never heard of that until this time?—So far as I know.

61,124. Or by whom it was opened?—No, I have not heard.

61,125. Now, did you know in the year 1882 that there was a warrant out against Sheridan for murder?—No, I did not—not until Captain O'Shea brought me a message from Sir William Harcourt or made a statement to me which he had heard from Sir William Harcourt.

61,126. You have heard Captain O'Shea's evidence, of course, or you have read it?—Yes.

61,127. It came to your knowledge in May 1882 that rightly or wrongly there was a warrant for the arrest of Sheridan for murder?—It came to my knowledge that the Government attributed to Sheridan complicity in murder. I cannot speak as to the warrant. I think that the warrant, that the withdrawal of was suggested, was the warrant for intimidation under the Suspension Act, but I do not think that there were any proceedings so far advanced, or in fact any proceedings at all had been taken against him on the charge of murder until later.

61,128. What I distinctly wish to know from you, Mr. Parnell, is this, whether or not at the time of the information conveyed to you by Mr. O'Shea—I understand you Captain O'Shea did convey that information to you?—He conveyed this message as

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[Continued,

well as I recollect it, and I think my recollection is accurate—that the police suspected Sheridan of being concerned in murder.

61,129. That there was a warrant out for his arrest?—That there was a warrant for his arrest, which I understood to be under the Suspension Act. That was the previous idea. But that was the only thing conveyed to me at the time.

61,130. Whatever it be the information was that the objection to Sheridan's return was that the police had reason to believe that he was guilty of the crime of inciting to murder?—Something of that kind, yes.

61,131. Did you make any further inquiries into that matter at all?—Yes, I made inquiries of Mr. Egan about it the first time that I saw him.

61,132. Any other?—No, I made no further inquiries. I made inquiries of Mr. Egan, who was the person pointed to by Mr. Forster, and I think he was the proper person to inquire of Mr. Sheridan about.

61,133. You said, I think, you had not seen Sheridan since the autumn of 1881 yourself?—Yes.

61,134. Have you ever communicated with Sheridan?—I have not, no.

61,135. Not by letter or in any other way?—I have communicated in my life time, but not since then.

61,136. No, I am speaking of since he left?—No, not since then.

61,137. Since Sheridan left in 1881 you have never communicated with him?—No, since Sheridan left in 1881 I have never communicated with him.

61,138. Directly or indirectly?—Directly or indirectly.

61,139. Through any third person?—Nor through any third person. I have never had occasion to do so.

61,140. Well, of course we will see whether you had occasion. When Egan left did he draw upon the Land League funds the sum of 1,000l.?—I cannot say at all.

61,141. Do not you know one way or the other? You are, I will not say the acting trustee, but you are one of the trustees?—I am one of the trustees of the bonds in Paris, but I have nothing to do with the money matters of the League.

61,142. I understand you do not sufficiently know about the matter to say whether or not Egan before he left drew out 1,000l. of the Land League money?—I should think it is very unlikely—very unlikely indeed, but I have no knowledge about it at all.

61,143. Who is the person who will give us the most information about any moneys drawn out?—Of the National League or the Land League?

61,144. The Land League. The Land League first?—Dr. Kenny would know most about the funds of the Land League of anybody in this country.

61,145. Or Mr. Biggar?—No, not Mr. Biggar; he was not much in Dublin.

61,146. But he was treasurer?—He was treasurer, but he practically did not act.

61,147. However, Mr. Biggar would be among those who would know?—I do not think Mr. Biggar would know much about the spending of the money of the Land League. Living in Belfast of course he was not in the way of being able to sign the cheques, and consequently the cheques were signed without him.

61,148. (*The President.*) Who did sign the cheques?—The cheques would have been signed by the local treasurers during the period when the Land League was working up to its suppression in October 1881. The cheques would have been signed by the local treasurers, one of whom, I think, was Mr. Moloney, and the other was Dr. Kenny. I do not know whether there was any other treasurer acting at the time, but I will make inquiries. Then after the suppression of the Land League the cheques would have been signed by the Ladies' Land League for the same purposes which had been previously carried out by the Land League, and Mr. Egan also was in the habit of making payments with reference to various matters upon this account in Paris.

61,149. (*The Attorney-General.*) This, I understand, is what you know from communications made to you by other people?—I know these things from my own knowledge.

61,150. Do you mean from your own knowledge from looking at the books yourself, or what?—I have seen Dr. Kenny and Mr. Moloney sign cheques, and I know that they were the treasurers of the League.

61,151. That does not cover the whole ground. You spoke of Egan making payments?—Yes, I have stated that from my own knowledge.

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[Continued.]

61,152. Now, have you made any effort to get the books of the Land League?—We have some of the books of the Land League.

61,153. What books of the Land League do you say you have got?—I think you have been supplied with a list of these books in the particulars, made by Dr. Kenny, and Mr. Arthur O'Connor, and Mr. Justin M'Carthy, and others—those that we have; and other books were last in the possession of Mr. Moloney.

61,154. I must first ask you what books of the Land League do you say that you have now got in your possession or under your control?—I have none personally. Mr. Lewis has got any that I have ever seen or had under my control.

61,155. Do you know what they are?—I do not know what they are.

61,156. Now you have spoken of course of the Land League books being removed from Dublin in the autumn of 1881?—Some of them.

61,157. Have you endeavoured to trace those books?—No, I assume that Mr. Egan had his books in America.

61,158. Have you endeavoured to get any books?—No, I have not communicated—I have not been in communication with Mr. Egan about this case at all.

61,159. What did you know about the removal of the books in 1881? Where did they go to from Dublin?—Some books came over here to London.

61,160. You say some. What books came over?—We have some of those.

61,161. What books are they which you have got?—Well, I think these books were books—that some of them were opened by Mr. Arthur O'Connor, and those were books which had been kept in the office with regard to lists of evicted tenants and so forth. But I have not examined these books myself.

61,162. I want to know, if you please. You say some came over to London. What became of the rest?—I do not know at all. I only know about the books we have been able to trace.

61,163. Where did they go to in London?—I understand that some books came over here. Of course, now I am only speaking from hearsay.

61,164. From whose information, please?—From Mr. Henry Campbell's information; that some books were brought over here by Mr. Sheridan and left in the offices of the Land League at Palace Chambers in a box.

61,165. You do not know what books, I understand?—I do not know what books—those books we have.

61,166. All that came to Palace Chambers?—All that were in the box so far as I know.

61,167. You are sure?—I cannot say, but I have never heard of any of them being taken away. I have never heard of any of the books which came in that box being removed.

61,168. Where did the rest go?—I do not know. Those are the only books I know of.

61,169. Have you ever inquired what became of the rest?—Yes, I have made various inquiries. At the commencement of this case I made every inquiry I could in this country and in Ireland for the purpose of tracing the books of the Land League.

61,170. From whom?—From Dr. Kenny and from Mr. Harrington.

61,171. Anybody else?—No; these are the two gentlemen that I made the inquiries about; and Mr. Henry Campbell:

61,172. Did you make any inquiry at the time the books were removed. What became of the rest of the books?—I did not. I have only ascertained afterwards. I did not understand at the time that the books had been removed, and I do not believe that as a matter of fact all the books were removed.

61,173. The cash books and ledgers would be the vouchers for payments made by the officials of the League?—Undoubtedly, yes.

61,174. Do you know whether one of those exists among the books, which you say are in London?—No, I think not. I do not think the cash book was in the box which was brought over by Mr. Sheridan.

61,175. You know about the most important books, both to discharge the officers of the League and to ascertain what had become of the money, would be the cash books and the ledgers?—Yes.

61,176. The cheques as we observe are all drawn in numbers?—Quite so. That is the habit of all the Irish banks. The cheques were drawn not in numbers, but they were payable to order to the persons to whom they were payable.

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[Continued.]

61,177. Whether it be the habit of the banks or not, the cheques themselves — ?— They are entered in the books of the banks by their numbers, but they were drawn to the persons to whom they were made payable.

(*The President.*) Is that your meaning, Mr. Attorney ?

(*The Attorney-General.*) No, it is not.

61,178. (*The President.*) I supposed you meant the cheques were payable to A or B or C ?—That is not so.

61,179. (*The Attorney-General.*) Did the name of any person appear upon the cheque or not ?—Invariably, as far as any cheques I have seen signed go ; but of course Dr. Kenny can give you more specific information upon this point.

61,180. But I want to keep to this point. The ledgers and the cash-books would be at any rate the record of what had become of the money during all these years ?—If a ledger was kept. Certainly there was a cash-book kept. When I went over to Ireland in 1882 I found the system of books was a very imperfect one.

61,181. In 1882 do you mean ?—I beg your pardon, in 1881. I found that the system of books had been adopted was a very imperfect one, and that in addition, even these books under this poor system had not been kept for the previous two months ; and then it was that I asked Mr. Arthur O'Connor to come over and arrange a suitable system of book-keeping for the accounts of the League.

61,182. Perfect, or imperfect, the books which had previously been there and apparently, as you say, stopped at a certain time and not made up—what have become of those books, the cash-books ?—We have some of those books still, and we have exhibited them.

61,183. A cash-book ?—The cash-book is not among those books.

61,184. Why do not you be kind enough to listen to my question. I am asking you about the cash-book. What became of that ?—I do not know where the cash-book is.

61,185. What became of the ledger ?—I do not know whether there ever was a ledger.

61,186. Let me draw this to your attention. Sheridan is one of the trusted officers, one of the organisers ?—Yes.

61,187. In fact the most important book to justify any statement to any persons who had contributed would be the cash books or the books which would show how the money had been spent ?—Quite so.

61,188. Have you ever endeavoured to find out what became of the cash-book ?—Certainly ; I am trying to find out still.

61,189. Do you know where they were left ?—I do not.

61,190. Do you know in whose custody they last were ?—I do not.

61,191. What steps have you taken to find out ? To whom have you applied with reference to that cash-book ?—I have applied to Dr. Kenny and to Mr. Harrington, and to Mr. Campbell.

61,192. Did you get any information from them ; No ; they have given all the information that they gave to me in addition to what I have already given to you with regard to this one box of books—they have given it in their affidavit of disclosure.

61,193. You keep referring to the affidavits. Never mind the affidavits. Those I know of and may have to ask questions about ; but I wish to keep to these books, the cash-book and ledger. What information did Dr. Kenny give you about those ?—He has not been able to trace it so far.

61,194. Has he given you any information ?—No, he does not know where it is.

61,195. Had Dr. Kenny anything to do with the cash-book ?—Dr. Kenny must have had a great deal to do with it.

61,196. The early cash book ?—I should think so.

61,197. Do I understand your evidence to be that Dr. Kenny does not know where it has gone or what ?—So far as I know, when I saw him last he had not succeeded in ascertaining where it was gone to.

61,198. Do you mean he is not able to give you any information as to what became of it in 1881 ?—He does not know, because the way these things happened was this. The arrests were made, and Dr. Kenny, who was the treasurer, was the last person arrested according to the statement in his affidavit, and according to his statement to me, he left the books in his office. And then Mr. Maloney was in charge of the office and also in charge of the books. Mr. Maloney himself was arrested shortly after, and then everything ceased. The Ladies Land League then took control of everything, and I know nothing further.

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[Continued.]

61,199. Would these books be necessary for audit?—Extremely necessary.

61,200. Were the accounts ever audited at all?—Mr. Egan's accounts, which was the expenditure in bulk of the sum that was sent over from America and from various parts of the world and from Ireland, were audited by the gentlemen whose names have already been given.

61,201. What you are pleased to call the audit is by Mr. Dillon, Mr. Matthew Harris, and Father Sheehy?—Yes.

(*The President.*) When did that take place?

61,202. (*The Attorney-General.*) Do you know when that took place?—That took place some time in the autumn of 1882.

61,203. Now just observe. The autumn of 1882. What books had those gentlemen, as far as you know, when they audited those accounts:—They must have had Mr. Egan's books.

61,204. Have you attempted to get those?—No. I have made no attempt. That would have thrown very little light upon the explanatory of the Land League funds.

61,205. Are Egan's books distinct from the cash-book, or would they include the cash-book?—No. Egan's books, I imagine, would be entirely separate from the cash-book of the League in Ireland—entirely separate.

61,206. Then do you mean private books of Mr. Egan's or Land League books?—These would be Mr. Egan's private books.

61,207. But he was treasurer of the Land League?—Undoubtedly, but he would keep the books showing the way in which he had spent the money which passed through his hands; all the money passing through his hands originally.

61,208. I must press you upon this?—But that would not show the details of the explanatory of the Land League money. It would simply show such items of these remittances of 5,000*l.* to the Ladies' Land League or remittance of 5,000*l.* to the treasurers of the Land League in Dublin, and so forth from time to time. The book that would show the explanatory of the Land League fund—the explanatory in Dublin of the money so remitted by Mr. Egan—would be the cash-book of the League, which, in my recollection, was not kept during the months of August and September previous to my going over, but it would show the explanatory, I should imagine, in the months previously and from the audit.

61,209. (*The President.*) I need scarcely say I am sure you will appreciate what I am about to remark. We attach very great importance to these books?—Yes, my Lord, I shall endeavour to do what I can to get the cash-book for your Lordship, and I have been endeavouring to do so.

61,210. (*The Attorney-General.*) What did Mr. Campbell tell you about the books?—Mr. Campbell told me what I have already stated to you.

61,211. The same as Mr. Kenny—about the cash-book; I will keep to that?—He does not know anything about the cash-book. He only knows about this box which Mr. Sheridan brought over from Ireland, and left with Frank Byrne in the offices in Palace Chambers, and which Mr. Campbell subsequently recovered, and brought back again, and the books have been handed in—have been disclosed.

61,212. Never mind the books that came over in the box?—That is all Mr. Campbell knows about the books.

61,213. Now the third name you mentioned, besides Campbell and Kenny, you have made inquiries from was whom?—Mr. Harrington.

61,214. Mr. Timothy Harrington?—Mr. Timothy Harrington, the secretary of the National League.

61,215. Had Mr. Timothy Harrington anything to do with the cash-book?—Mr. Timothy Harrington had nothing whatever to do with it.

61,216. Then he could not have given you information?—He might have given me information because he might have found some of the books in the office, because the office has always been the same.

61,217. It amounts to this, that beyond Campbell, who only knew about the box, and Mr. Kenny, who could not find it, you have obtained no information? First, when did you begin to take any steps to try and trace this cash-box?—Immediately this Commission was appointed.

61,218. What did you do?—I communicated with all the gentlemen that I thought could give me any information about the matter.

61,219. Who?—I have already told you.

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CHARLES STEWART PARNELL.

[Continued.]

61,220. Forgive me, you have told me three you know?—Yes.

61,221. Will you tell me what other persons or previous officials, or persons at all, you communicated with to try and find this cash-book?—These are the only people I knew of who could give me any information about it.

61,222. Were there other persons in the employment of the Land League up to October 1881?—Nobody outside. There were the clerks, but they were all put in gaol at the same time that I was, or shortly afterwards, and they would not have been able to throw any information upon the books or where they went to.

61,223. Just observe. Mr. Sheridan you know was an important official?—Undoubtedly.

61,224. He had taken away part of the books to London?—So I subsequently ascertained, quite recently.

61,225. Did you ever communicate with Mr. Sheridan or take any steps to find out what had become of the cash-book?—No, because I did not know Sheridan had taken these books at that time. I have only recently ascertained it.

61,226. When did you first know Sheridan had removed any of the books from Dublin?—I first knew Sheridan had removed any of the books from Dublin after the commencement of this case, when Mr. Campbell told me about it.

61,227. What date do you mean?—After the appointment of this Commission.

61,228. Do you mean shortly after July of last year, or what time?—It was shortly after the appointment of the Commission.

61,229. Have you, beyond inquiring from Kenny, Campbell, and Mr. Harrington, whom you admit does not know anything about that book, taken any steps to attempt to find this cash-book?—Those are the steps I have taken. I do not recollect that I have taken any other steps.

61,230. Of Sheridan, Egan, Brennan, or anyone of the officials of the Land League?—No; it would have been quite useless writing to any of these because they have not got these books, and never had them.

61,231. Whether useless or not, have you taken any steps to try and find them?—I have not. Certainly not.

61,232. To trace what had become of them?—No, I do not believe Mr. Egan has that cash-book, or ever had it.

61,233. Was Doriss an official of the Land League?—Doriss was a clerk in the office who used to look after the applications. He was a sort of solicitor's clerk, who used to look after the applications from tenants for legal advice.

61,234. Whether a sort of clerk or not, was Doriss a clerk in the service of the Land League up to the time of the books being taken away?—No, he was not. He was in the Land League during that summer, but I do not recollect that he was in the office up to the time that the books of the Land League were taken away.

61,235. At what office?—In Upper O'Connell Street. I rather think he had entered. Mr. McGough's service previously, but I am not sure.

61,236. How many clerks had you in Dublin?—I have not the slightest notion.

61,237. Was it 10, 15, or 20?—I should think not so many as that.

61,238. What number?—There might have been half a dozen, but I do not know.

61,239. Who was the clerk who in 1881 would have had the charge of the books?—I do not think that any clerk had. According to the state in which I found the office nothing was in charge of anybody.

61,240. Who was the clerk, Mr. Parnell, who would, after what you may call the reform of the office, have had the custody of those books in October 1881?—I really cannot tell you. Mr. Arthur O'Connor will be able to give you definite information upon that point.

61,241. However, not from any one of the clerks have you attempted to trace the missing cash-book?—I do not know the clerks. The only clerk I know is Mr. Quinn, and he was arrested along with me and sent to Kilmainham, or soon after I was arrested.

61,242. Had you a clerk named Harrison?—I do not know.

61,243. Was there a financial secretary named Harrison?—I do not know of him at all.

61,244. Did you know there was a clerk named Harrison?—No.

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[Continued.]

61,245. Are you sure? I think that for a short while there was a gentleman named Harrison engaged by Mr. Arthur O'Connor for about a fortnight or three weeks during which Mr. O'Connor was in charge of the offices, now that you remind me of it.

61,246. Between what period, please?—From the date of Mr. O'Connor coming over to the time when he had to leave the country to avoid arrest.

61,247. I wish to know what period you are covering?—I should think a period of about three weeks before my arrest, or perhaps a month.

61,248. That we will call the last half of September and the first half of October; that is what you mean?—Yes.

61,249. 1881?—Yes.

61,250. Now, have you made any inquiry from Harrison?—No, I only thought of Harrison when you brought him to my recollection; but he would not know anything about it.

61,251. Who was the member of the Land League who would be going daily to and from the office at that time?—The member of the Land League at which time?

61,252. The last month of the existence of the League when the books were removed?—Mr. Arthur O'Connor would have been the one in charge.

61,253. Anyone else?—Dr. Kenny would have been the treasurer.

61,254. Have you asked Mr. Arthur O'Connor? You did not mention his name?—I have not asked Mr. Arthur O'Connor.

61,255. I want to understand this. Mr. Arthur O'Connor having gone over there, and having taken charge of the books and found them in a demoralized condition, why did you not ask Mr. Arthur O'Connor?—Because I did not believe he knew anything about the book. I do not think he does.

61,256. Mr. Arthur O'Connor would have known what clerks were there during the time he was organising, or attempting to organise, the office in September and October?—Yes, I should think he would.

61,257. He could have given you the names of the clerks who were there?—I should think he would be able to do that.

61,258. He would have known what clerks took part in the removal of the books?—I should think so.

61,259. Have you ever attempted to trace in any way who took the books away from the Dublin office—the books that did not come in the box—or what became of them?—I have endeavoured to trace all the books, so far as I can, but I have not been successful, as regards the cash-book, up to the present.

61,260. Now, I call your attention, Mr. Parnell, to another side of the question. Did you or did you not ascertain that a considerable number of the books were in the custody of Dr. Kenny at any time?—Yes. I have asked Dr. Kenny about the books, and he does not know anything more about them than what I have told you.

61,261. Did you ascertain from Dr. Kenny what books came into his possession?—Yes.

61,262. What were they?—He had—not in his possession; but there were in the office while he was treasurer——

61,263. No; I am speaking of after the books were removed. Did you ascertain that a number of books came into Dr. Kenny's possession?—No; I never heard that.

61,264. Do you know whether or not he had any at any time after October 1881?—No; I never heard that.

61,265. When did you first begin to try and find any of these books?—Immediately the Commission was appointed.

61,266. That is some six months to nine months ago. Now, I must put this to you. You know it appears according to the evidence, as far as we can get it at present, that between 70,000*l.* and 100,000*l.*—in round numbers, about 100,000*l.*—had been disbursed by the Land League in various ways, or in some ways, up to the end of 1881. What I want to know is this, failing to find this cash-book, have you attempted to trace the persons who received the money?—That would have been utterly impossible.

61,267. Have you attempted it?—I have not made the slightest attempt.

61,268. Have you attempted in any way to find out where the cheques or through whom the cheques were cashed?—No; there were thousands of cheques small and large sent all over the country. It would have been quite impossible.

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[Continued.]

61,269. What has become of the cheques?—I do not know. I never heard.

61,270. Did you inquire?—Certainly, that was part of my inquiry—as to what became of the books, and cheques, and papers.

61,271. Whom did you inquire from what became of the cheques?—I inquired of Dr. Kenny, and Mr. Campbell, and Mr. Harrington—those three gentlemen.

61,272. You did not inquire of Mr. Arthur O'Connor?—I did not inquire of Mr. Arthur O'Connor, because I thought that he would not know anything about it.

61,273. He having gone over to take charge and being the last person in charge would not know anything about it?—No.

61,274. Very well. Did you in any way find out what became of the counterfoils of the cheques?—No, I never heard what became of the papers of the League.

61,275. According to your statement what means exist—do any means exist for persons to give even an approximate account of how this money was spent?—Unless we can find the cash-book I do not see what means exist at all or how any account is to be given.

61,276. Now, the letter-books; what has become of the letter-books?—I do not know. I do not know what has become of any of the books except the books that have been disclosed in the affidavits.

61,277. Or the letters which were received; have you no idea what became of them?—Not the slightest.

61,278. The original letters were filed were they not?—I do not know. I do not know what the details of the management of the office were.

61,279. You know we have got—it may be by accident or it may be by lucky chance—a set of documents of one or two days in 1881?—So I understand, yes.

61,280. It is apparently the proceedings of a part of two days. Do you know at all what has become of the other correspondence which would be dealt with before that time?—Of the other correspondence?—No, I do not know at all.

61,281. The corresponding documents?—I do not know at all what the practice would have been.

61,282. As far as you know the practice of the office was to keep and file, as we have seen, the applications that were received?—I suppose so, but I do not know.

61,283. Of course, your statement is that all these matters were purely constitutional things. It was of extreme importance to the Land League and to yourselves connected with this organisation that these vouchers or books should be forthcoming?—Undoubtedly it was.

61,284. Were any steps taken by Mr. Biggar or by any of the persons connected with the League at any time before this Commission was appointed to try and trace those books?—No; I have never heard of such steps.

61,285. As a matter of fact, were the accounts of the spending of the money by the Land League ever audited at all?—Perhaps you will let me explain before I answer that question that I was always under the impression, until I came to inquire into the matter, that the books of the Land League had been removed to Paris subsequently to my arrest and the breaking up of the Land League.

61,286. Now, another matter let me just put to you. As I understand when you went over you found the system defective?—Very defective. That is scarcely an appropriate description.

61,287. You altered it or directed it to be altered?—Yes.

61,288. So as to get a perfectly proper system?—Yes.

61,289. And be able to trace the money?—Yes.

61,290. And as far as you know, that was carried out as long as Mr. Arthur O'Connor was there?—Yes, for about a month, I should say. Mr. Arthur O'Connor opened a set of books.

61,291. The only audit that has ever taken place has been the audit of whatever books Egan produced to Mr. Dillon, Mr. Matthew Harris, and Father Sheehy?—Yes, I would assume that that was the audit of the money which Mr. Egan drew out of his account in Paris.

61,292. And no audit at all as between the Land League officials and the money received from Egan?—There never has been any audit of that.

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[Continued.]

61,293. By anybody?—By anybody.

61,294. Or at any time?—Or at any time.

61,295. Then I may take it from you that from the beginning, from October 1879, through the years 1879, 1880, and 1881, up till September there had been, as far as you know, no audit or examination of the money paid away by the Land League?—No audit or examination.

61,296. Do you remember the evidence of a van load of books and letters being taken away to Mr. Pearson's (page 2032)?—Yes; I think I have some recollection of that.

61,297. A van load and a dray of books, and letters, and documents. And then from Mr. Pearson's to Mr. Moloney's. Have you made any inquiry of Mr. Moloney?—No, I do not know where Mr. Moloney is.

61,298. When did you last see Mr. Moloney?—I have not seen Mr. Moloney for some time.

61,299. You say for some time. When did you last see him?—I should think three or four years ago. I should think about 1885.

61,300. Do I understand you have not seen Moloney for three or four years?—I think, now that you ask me, that Mr. Moloney called to see me about three months ago at the House of Commons in reference to a private matter.

61,301. You told me a moment or two ago you had not seen him for three or four years?—That was my impression when you asked me the question.

61,302. Has he been in court during these proceedings?—Not as far so I know.

61,303. You have not seen him?—No.

61,304. Do you know whether he has a joint account with Mr. Biggar?—I do not know whether his name still stands in the account or not.

61,305. Have not you yourself made payment to Mr. Moloney in the years 1883 and 1884?—Undoubtedly.

61,306. For what?—On account of the National League. He was one of the treasurers of the National League in those years.

61,307. When did Mr. Moloney call upon you?—He called upon me at the House of Commons about four months ago—perhaps eight or nine months ago.

61,308. Do you know his address now?—I do not know his address, no.

61,309. Do you know whether he has been in communication with any of your other Members of Parliament, or with Mr. Lewis?—I am not sure. I have not ascertained that.

61,310. Have you never heard?—I have not ascertained that.

61,311. Just observe for a moment, In January 1889, it is brought to your notice that the books and letters were taken away first to Mr. Pearson's and then to Mr. Moloney's. Was Pearson a clerk in the Land League office?—Pearson I think was one of the clerks, yes.

61,312. Did he live in North Frederick Street?—Very probably.

61,313. When did you last see him?—I have not seen him I suppose since the Land League was suppressed.

61,314. Are you sure?—I should think so.

61,315. Did you make any inquiry to try and find Pearson?—No.

61,316. Now Moloney. Have you made any inquiry since this statement of the books being taken away by Moloney, what had become of them?—Yes, I have made inquiries of Mr. Harrington and Mr. Biggar, and the other gentlemen I mentioned.

61,317. What other gentlemen?—I mentioned three, Mr. Harrington, Mr. Biggar—

61,318. No you mentioned Mr. O'Connor?—I beg your pardon. Mr. Harrington, Dr. Kenny, and Mr. Campbell.

61,319. Not Mr. Biggar?—Not Mr. Biggar.

61,320. Do you know one way or the other whether Campbell has been in communication with Moloney?—I do not think so.

61,321. Are you sure?—Have you never heard of it?—No, I have not heard of it.

61,322. You are quite sure you have not heard of Mr. Campbell being in communication with Mr. Moloney?—I have not heard of such communication.

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[Continued.]

61,323. Have you attempted to find Moloney since the statement of his removing the books to try and trace him?—I have asked about his address and nobody seems to know it.

61,324. From whom?—I have asked Campbell if he knows where he lives.

61,325. Anybody else?—I have asked Mr. Lewis.

61,326. You mean Mr. George Lewis?—Yes.

61,327. Then did you put Mr. Moloney in communication with Mr. George Lewis?—

No, I did not.

61,328. How should Mr. George Lewis know?—I supposed that Mr. George Lewis might be looking.

61,329. You think he knows everything. I daresay you are not far wrong about that?—I said he might be looking for him.

61,330. Now the man who was referred to by Sir Charles Russell in his speech—the man Phillips, the accountant, was called in at the time of Mr. O'Connor, was he not?—Yes.

61,331. For the purpose of assisting Mr. O'Connor in putting the books in order?—Yes.

61,332. Did you make any inquiry of Mr. Phillips as to what books there were?—No, I do not know where Mr. Phillips is.

61,333. I may take it that you have not endeavoured to find out from him what books there were at the time he was at the Land League office, and what had become of the books he saw?—We can easily find out what books were there, I should say, but the difficulty is to find where they are—at least where the cash-book is.

Adjourned till Tuesday next at 10.30.

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
 PROBATE COURT, No. 1,
 Tuesday, 7th May 1889.

Mr. CHARLES STEWART PARNELL recalled.

(*The Witness.*) My Lords, I wish to make two corrections in my evidence of Friday. As to the statement in which I described Mr. Sigerson as being a personal opponent—a political opponent, I understand that has given him some pain, and that it can scarcely have been called a correct description, for I think at that time he was coming round to us. My impression was that he had been the representative of the views which were more advanced than mine at the time, and he probably had adopted our notions to some extent at that moment. He is entirely now with us and a believer in our views. Then the second correction that I wish to make is with reference to the paragraph in my speech which was quoted by the Attorney-General, the speech of the 7th January 1881, when I was moving an amendment to the Address, and which the Attorney-General read out for me, and which I admitted as indicating that I was engaged in an attempt to mislead the House of Commons—that I was representing that all secret societies had ceased to exist in Ireland, and that that was not a correct statement, in fact it was an untrue statement to my knowledge. That was the substance of the evidence that I gave my Lords, but I find upon reference to my speech in “Hansard” that the representation that all secret societies had ceased to exist in Ireland was neither within the scope or drift of the argument of that speech, nor of the passage in question. I was referring, I find, to the great Ribbon Organisation that has been very strong in the history of Ireland, and which had commenced to crumble away in 1872 at the commencement of good times and the subsequent years, and which at the date to which I was referring was practically non-existent. That was the secret society to which I was referring in my speech, and that was a fairly accurate representation of the state of existing affairs so far as I understood them, and not a misleading statement either intentionally or otherwise. Of course I knew at that time that the great Fenian organisation had branches all over Ireland, and in looking at the statement in the speech, a broad one, that secret conspiracies had ceased to exist, I supposed that I had referred to the cessation of the existence of the Fenian branches as well as of the Ribbon Societies, which would have been manifestly a false statement.

(*The Attorney-General.*) My Lords, I think I had better postpone one or two questions upon this particular matter stated this morning till I have the report in “Hansard” here, and I also want to refer to one or two other matters in connexion with it.

Further cross-examined by the ATTORNEY-GENERAL.

61,334. Mr. Parnell, I wish to resume, if you please, my questions with reference to the books. You said on two or three occasions last Friday that we had had notice of the books that were brought to London; to what did you refer?—I referred to the statements that were made in the affidavit of disclosure.

61,335. You referred to that?—Yes.

61,336. Will you kindly tell me any affidavit which you had in your mind as giving us any information respecting the books which were brought to London?—I should say the affidavits that were made, speaking from recollection, by Mr. Justin M’Carthy and Mr. T. P. O’Connor—the books that were brought to London were discovered in the Land League Office, and I think they were mentioned in the affidavit in question.

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[Continued.]

61,337. Mr. Justin M'Carthy and Mr. T. P. O'Connor?—I think so.

61,338. You have not made a mistake about the names?—I do not speak with any certainty, but that is my impression.

61,339. But you know you said with reference to those books that you had given, or those who were associated with you had given, the same information to those whom I represent as you had yourself about these books?—Yes, I think that was so.

61,340. The names you gave to me when I was cross-examining you were Dr. Kenny, Mr. Campbell, and Mr. Harrington?—Yes.

61,341. You did not mention either of the other two names?—Well, I did not have them in my recollection, of course, but I was endeavouring to give you as much information as I could upon the subject.

61,342. Do I understand you to say that you had in your mind the affidavit of Mr. Justin M'Carthy?—You have asked me about the particular section of these books and I have told you.

61,343. Are you speaking of the books that came to London?—I believe the reference made to these books was contained in the affidavit of Mr. Justin M'Carthy and Mr. T. P. O'Connor because Dr. Kenny and Mr. Harrington would have had no information about them.

61,344. Do you suggest that any Land League books of Ireland, by which I mean, the old Land League, were referred to in Mr. Justin M'Carthy's affidavit?—I think so; that is my impression. I know they were sent from the office of the National League of Great Britain—they were all sent to Mr. Lewis's office—those books.

61,345. That is not the point I am upon at present. I want to know whether you suggest whether any of the Irish Land League books—?—Yes, I think some of the Irish Land League books are covered by one or the other of those affidavits.

61,346. Will you undertake to say that any reference was ever made to those books at all until Sir Charles Russell's speech?—I am not at all sure whether the reference was made in the affidavit, but I know the box was sent to the office at the time.

61,347. You said just now that you had Mr. Justin M'Carthy's affidavit in your mind?—Quite so.

61,348. Have you refreshed your memory?—Not at all. I read the affidavit at the time; that is all. My impression was that those books were disclosed at the time, in those affidavits, but I am not at all sure.

61,349. I must call your attention to your own affidavit in this matter, before I go to the other question of the books. I will read the whole of your affidavit to you:—

“According to the best of my knowledge, information, and belief, I have not now and never had in my possession, custody, or power, or in the possession, custody, or power of my solicitors or agents, solicitor or agent, or in the possession, custody or power of any person or persons on my behalf, any deed, account book of account, receipt, letter, memorandum paper or writing, or any copy of an extract from any such document or any other document whatsoever relating to the matters in question in this Commission, or where any entry has been made relative to such matters, or any of them except a letter addressed to me by Frank Byrne, dated the 1st of January 1882.”

That is the only document referred to?—That is all.

61,350. When you made that affidavit had you been asked about the Land League books?—I had been asked whether I had any of them in my custody or possession.

61,351. Or had had them?—Or had had them.

61,352. Do you know who prepared that affidavit?—It was prepared by Mr. Lewis.

61,353. Did you give the explanation about the Land League books having been taken to London then?—I am not at all sure that at the time I knew about these books.

61,354. Did you give any explanation at all about what had become of the Land League books?—I am not sure that I had heard at this time from Mr. Campbell about this box, or whether it was subsequently that he told me—subsequently to this affidavit.

61,355. I am not confining my question as to the box which relates to certain books which you now know you say got into the possession of Mr. Maloney and came to London, but my question is, aye or no, did you give any explanation as to what had become of the main Land League books?—No, my impression is I did not at that time know what had become of any of them.

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[Continued.]

61,356. There were of course letter books—a large number? I do not know. My impression is that the Land League account books——

61,357. I did not say accounts?—Account books, and their system of keeping their accounts was a very primitive one indeed until Mr. Arthur O'Connor opened a new set of books in August or September.

61,358. I said letter books. I was not referring to accounts at all?—I understand letter books as entering into a system of accounts in the office.

61,359. I am speaking of the letter books in which letters written by the League officials are copied. Were there in any of the League offices kept letter books in which letters sent out were copied?—I do not know, but I should think it is very doubtful. I cannot say at all.

61,360. Were there large numbers of letters received from various branches that had to be kept. I should think it is possible.

61,361. Were there not upwards of a van load of documents in the possession of the Land League prior to September 1881?—I cannot tell you. I have never heard that there were.

61,362. Who will give me the information as to what these documents were?—The gentlemen who were disclosed in the affidavit—Dr. Kenny, Mr. Harrington——

61,363. Mr. Timothy Harrington?—And Mr. Maloney will give you the best information. So far as I know the only information possessed by anybody in this country with regard to the books that remained in our possession subsequently to this time.

61,364. I must ask you one question in this connexion with reference to Mr. Maloney. I understood you to say on Friday that you did not know Mr. Maloney's address?—No, I do not know his address.

61,365. And did not at any time?—Not at any time.

61,366. He came to you casually about a year and a half ago, I think you said?—I rather think it was just towards the close of the first session of last year, but I will not be positive that it was at that time or at the commencement of the winter session.

61,367. What about?—About a private matter. Nothing connected with this case.

61,368. I do not wish to ask about any private matter the least in the world. He is a gentleman who undoubtedly did know a good deal about the books?—He was the one official of the League in whose custody the books appear last to have been.

61,369. Have you ever asked him about them?—I never have; no.

61,370. Has Mr. Maloney been employed in London for a considerable time past?—I believe that he is in business in London.

61,371. When did you know that?—I have heard it generally for the last couple of years.

61,372. Do you know the name of the firm?—I do not.

61,373. Hayes, Ashton & Co.?—Very probably, but I have not heard of it.

61,374. Do you not remember that name?—I do not remember it in the least.

61,375. 26, Great Tower Street?—I do not know the address.

61,376. From October 1885 was Mr. Maloney authorised to draw cheques on National League account in conjunction with Mr. Timothy Harrington?—Mr. Maloney was one of the treasurers of the National League up to about that period; I should think the period covering the General Election of 1885.

61,377. Listen to me kindly, that up to 1885 you knew that Mr. Maloney was treasurer and was acting in conjunction with Mr. Timothy Harrington in reference to the money of the National League?—Perfectly, yes.

61,378. Did you also know of his drawing cheques on Mr. M'Carthy's account, that is to say the Irish Parliamentary account?—My impression is that Mr. Biggar and Mr. Justin M'Carthy were the acting treasurers of that account, though Mr. Maloney's name was nominally in it, but I have not certain information about that.

61,379. Is there a parliamentary account in Ireland as well as in England?—I believe not, I have never heard of it.

61,380. I will take this general answer from you. As I understand it, you knew that Mr. Maloney was in relation with Mr. Harrington, Mr. M'Carthy, and Mr. Biggar up to the end of 1885?—Oh, certainly; he was one of the treasurers of the National League.

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CHARLES STEWART PARNELL.

[Continued.]

61,381. Did not he draw cheques on the National League Parliamentary Expenses Fund from June 1886 to June 1887. That is a whole year later?—I have told you that I believe that Mr. Maloney's treasurership extended past the General Election of 1885, but I cannot tell you when it ceased exactly. It is quite possible that he may have drawn those cheques as late as that.

61,382. I am not putting this to you for the purpose of tying you to a particular date, but do you not know that it is a fact that Mr. Maloney was in relation with members of your party right down to June 1887?—I am not aware of that.

61,383. Will you undertake to say you have never heard that before?—I beg pardon; what I undertake to say is this—so far as I know Mr. Maloney had no official connexion with the National League after the period of the bankruptcy of his firm. I cannot give you the date.

61,384. I am not putting upon you in asking you to deal with what you call the official connexion. Was not Mr. Maloney to your knowledge in business relations with Mr. M'Carthy and Mr. Biggar in connexion with the parliamentary funds right down to June 1887?—He may have been given after the bankruptcy of his firm some grant from the funds of the League to set him up in business, but that is the only relation that I am aware of.

61,385. I am not the least in the world referring to any grant to him. I am cross-examining you with reference to your statement that you know nothing about Mr. Maloney except that one interview?—That is in recent times.

61,386. Listen; the one interview 18 months ago, when he came to the House of Commons on private business?—That would not have been 18 months ago; it was from nine to four or five months ago.

61,387. Whatever it was, I am cross-examining you with reference to evidence you gave on Friday that that is all you know of Mr. Maloney?—Since his bankruptcy, yes.

61,388. I am asking you now whether you will undertake to say you did not know perfectly well, through the years of 1885, 1886, and 1887, that Mr. Maloney was in communication with Mr. Biggar, Mr. Justin M'Carthy, and Mr. Harrington?—Through 1885 and 1886, and up to the period when he ceased to be the treasurer of the National League he would undoubtedly have been in active communication.

61,389. Did you know of his signing your signature by procuration?—Yes, I believe he has frequently done that.

61,390. Frequently done it?—Yes, that would have been when he was treasurer of the National League; he would sign the drafts.

61,391. I am putting it in 1885?—I should think that would be about the period.

61,392. The date you told me, you know, was the General Election of 1885, which we know was before December; was he not signing your signature by procuration through the years 1885 and 1886?—I think it is very probably I did not put that date as an absolute date of the termination of Mr. Maloney's connexion with the Land League. I said he had been connected with the League all that time, certainly.

61,393. The other day when I was asking you about the custody of the books, and you mentioned Mr. Maloney's name, you conveyed the impression to me that you knew very little about him since that one interview?—Since he ceased to be treasurer of the National League I do not think I have ever met him but that once.

61,394. You have mentioned that you knew him in that connexion. How is it you have not made any inquiry of Mr. Maloney about these books?—His connexion with me was some years ago, before he left Ireland and before he ceased to be the treasurer of the National League. After that time Mr. Maloney passed out of my mind. I never had seen him. I was not in the habit of hearing about him, and he was not present to my mind in any way; and subsequently, after these proceedings had commenced, we heard that Mr. Soames, on behalf of the "Times," had subpoenaed Mr. Maloney to produce any books or documents of the Land League in his possession and knowledge, the knowledge of that fact or the hearing of that would be quite sufficient to prevent either myself or Mr. Lewis or anybody connected with us from going near Mr. Maloney in case we should be accused of attempting to tamper with a "Times" witness.

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61,395. The fact that Mr. Soames had subpoenaed Mr. Maloney to produce the books would be quite enough to prevent his going near him?—Quite enough; yes, quite enough.

61,396. Who informed you that Mr. Soames had subpoenaed Mr. Maloney to produce the books?—I cannot exactly tell you, but my impression is that I heard it from Mr. Harrington.

61,397. Which Mr. Harrington?—Mr. Timothy Harrington.

61,398. Will you undertake to say that?—I do not undertake to say it; that is my impression; I am not sure.

61,399. From whom did you hear it, if not from Mr. Harrington?—I do not know. If not from Mr. Harrington, I do not know from whom I heard it.

61,400. You have mentioned the names of those who would give me information about the books. Can you give me now the names of any others of the Land League clerks who would know about the books, who were in the employment of the Land League in August and September 1881?—I know very little about the Land League clerks, except that I found them in a state of great demoralisation, and subject to nobody's authority.

61,401. Whether they were in a state of demoralisation or not, can you give me their names?—I do not recollect their names.

61,402. I understand you cannot give me the names of any of the clerks who would know anything about the books?—I do not suppose the clerks would know what became of the books.

61,403. I am asking you whether you could give me the names of any of the clerks?—The only names I know of the clerks are the names you gave me on Friday, Mr. Harrison and Mr. Phillips, the one who stole our papers. Mr. Harrison was only introduced into the office by Mr. Arthur O'Connor a very short time before the office ceased to exist; and I think Mr. Phillips was introduced for the same purpose. There is Mr. Quinn. I know Mr. Quinn; he was the only other clerk at the time that I knew anything about.

61,404. In what position is he?—Mr. Quinn, he is now a clerk in the office of—

61,405. What is his Christian name?—I could not tell you that.

61,406. Is there more than one Mr. Quinn?—In Irish national politics, or in connexion with the Land League?

61,407. Is there more than one Mr. Quinn?—There is Mr. Quinn, the member.

61,408. You do not mean him?—No, Mr. Quinn, the clerk.

(*Sir C. Russell.*) His name is J. P.

61,409. (*The Attorney-General.*) In this connexion, who was the solicitor who acted for the Land League?—Mr. McGough has always acted for the Land League.

61,410. How long?—He acted from those times. I do not know that I can give you an exact date, but some time early in that period.

61,411. In 1879 or 1880?—I should think scarcely so early as that. Another solicitor acted for the Land League when it was first formed, whose name I do not recollect. I think Mr. McGough became solicitor to the Land League shortly after the State trials. That is my impression. I am not exactly certain.

61,412. Did it come to your knowledge that it was alleged that 100 guineas had been paid by the Land League to defend Moonlighters at the Cork Winter Assizes of 1881?—No, I never heard that.

61,413. Never at all?—No; I think there was some reference to it that may have been made at the time, but it was not a matter of which I had any knowledge.

61,414. I take that from you. I will give you the specific date that the statements were made, and ask you whether they were not made in the presence of many leading members of your party—Mr. Redmond, Mr. Healy, Mr. T. D. Sullivan—made both by the Irish Attorney-General and Mr. Gladstone upon two separate occasions, that 100 guineas had been paid by the Land League to defend Moonlighters at the Cork Winter Assizes. When did that come to your knowledge?—I have a faint recollection of some statement having been made, but I was not aware that Mr. Gladstone had made the statement.

61,415. Just keep to the point. I am not asking you for any information you cannot give me on the subject?—I was in Kilmainham at the time.

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61,416. I am not pressing you with reference to matters of your own personal knowledge, beyond what I am entitled to do, I want to find out when it came to your notice—did it or not come to your notice that on the 16th of February 1882, the Attorney-General for Ireland, who was then Mr. Johnson, in the presence of Mr. Healy, Mr. T. D. Sullivan, Mr. Redmond, and some others, referred to the fact and I will read his words. I am reading from the 256th volume of “Hansard,” page 808, (16th February 1882):—

“ But who defended the ‘ Captain Moonlight ’ cases at Cork Winter Assizes ?
 “ It was sworn at the trial that the Land League was connected with these
 “ outrages. The defence was rumoured, at all events, to have been carried on by
 “ the Land League. Where did the 100 guineas for counsel come from ? Who
 “ paid the original retainer and the refreshers from day to day ? That question
 “ was put several days since in the House, and had never been answered. Those
 “ fees were not paid from subscriptions.”

In the 268th volume of “Hansard,” page 695, Mr. Gladstone, on the 4th of April 1882, said this:—

“ I only know one instance in which the subject has been directly mentioned
 “ in this House. It was not long after the commencement of the present session
 “ that my right hon. and learned friend the Attorney-General for Ireland alluded
 “ to a case in which money had been sent down from Dublin to a place where
 “ assizes were held, for the purpose of defending one of those who, I believe, were
 “ associated with ‘ Captain Moonlight.’ My right hon. and learned friend stated
 “ on his own knowledge that the counsel for the prisoner had received a fee of
 “ 100 guineas ; and he asked in the face of the House whether that 100 guineas
 “ was or was not contributed from the funds of the Land League ? No answer
 “ has ever been made to that question.”

How soon, or when first, did you hear of that statement?—I do not think that I have ever heard of that particular statement, but I heard that it had been stated that Land League cheques or cheques out of the funds of the Land League had been given for the defence of these Moonlighters at Cork.

61,417. One hundred guineas?—I think I must have heard about it at the time.

61,418. Was Mr. O'Reardon the counsel?—I could not tell you.

61,419. A Queen's Counsel, I think?—I do not know.

61,420. Do you know Mr. O'Reardon?—No, I have not the pleasure of knowing him.

61,421. Did one of those Moonlighters turn Queen's evidence—Counsel?—A man named O'Connell.

61,422. A man named Connell, or O'Connell?—A man named Connell, or O'Connell, whom I had certain information had committed a cruel murder shortly before upon a young man named Leary, was accepted as Queen's evidence by the Crown, against a number of persons who were accused of much lesser offences than that of murder, and I believe to the knowledge of the constabulary of the district.

61,423. When had you the knowledge that Connell had committed the crime of murder—I obtained that knowledge in Kilmainham prison.

61,424. Before the trial?—At the time of the trial.

61,425. How long before the trial—how many days before the trial did you obtain that knowledge?—I cannot say that it was before the trial ; it was about.

61,426. At the time?—At the time when O'Connell or Connell turned informer.

61,427. From whom?—I obtained that from a Moonlighter who was then in Kilmainham.

61,428. Who?—I could not tell you his name. I dare say I could get it for you. He was brought into Kilmainham, and he requested an interview with me, stating he had something to state.

61,429. Did you communicate that to the authorities?—I did not. I believe that the authorities were perfectly aware of the fact already.

61,430. Whether you believe they were aware of it or not, why did you not communicate it?—Because I did not think it would have the slightest effect upon the mind of the authorities. They had accepted the man as Queen's evidence ; they must

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have known his history as well as I did; then they must have known that he had deliberately shot down Leary in cold blood without the slightest provocation, and when they had accepted evidence for the Queen on a charge against a number of persons, 50, I think, in number, of much less gravity than that of murder, I considered that no representation of mine would have had the slightest effect upon them.

61,431. Did you know anything at all about O'Connell giving evidence until he appeared in court and he had given his evidence?—That is the first time I heard of it; it may have been rumoured.

61,432. Did Mr. O'Reardon, or whoever the counsel was, obtain a license to defend all the prisoners, including O'Connell?—I cannot tell you as to that.

61,433. After O'Connell had pleaded guilty and gone out of the dock, did Mr. O'Reardon defend the others?—It is very possible; I have no recollection.

61,434. As far as you know, was there one word of cross-examination of O'Connell upon any of those matters now, which you have stated with reference to that?—I cannot say.

61,435. Have you ever, until to-day, stated—I mean stated publicly—that O'Connell was guilty of this infamous outrage?—I have often told that to my friends, and it was a matter of notoriety amongst us.

61,436. Have you ever stated it publicly anywhere until to-day?—No, I have never been called upon to state it publicly. I considered it a very great blot upon the action of the local administration of justice at the time, and those matters, when I was released from Kilmainham had passed by, and had been forgotten, and I did not think it necessary to recall them.

61,437. Was not O'Connell examined again in the month of July 1882, within two months, that is to say, two months after you had been released from Kilmainham?—Yes; I think he was, and I think Mr. Healy at that time drew attention to this fact, with the result that these men, or the majority of them, were released, and their trial was not proceeded with.

61,438. Will you undertake to say now, in the face of what you have now stated, that these men were tried again—the men who were tried on O'Connell's evidence in July—did you ever make any statements to the authorities?—I did not. Mr. Healy had the particular matter in charge, and he was defending them in the House of Commons, and he subsequently obtained the release of the majority of them, or all of them.

61,439. Do you say that Mr. Healy communicated this fact to anybody?—I cannot say, but I am inclined to think he referred to it publicly at the time.

61,440. Do you know now, one way or the other, whether the hundred guineas were paid by the Land League?—I cannot tell you, I have never heard.

61,441. Have you ever investigated?—I never have.

61,442. Who was the gentleman who will be able to tell us whether the hundred guineas was paid by the Land League?—I cannot tell you whether any gentleman paid it.

61,443. Do I understand you to say that the people connected with Land League treasurership and other officials, the solicitor or anybody, will be able to tell us whether the hundred guineas was paid or not?—I have said I do not know anybody connected with the Land League who will be able to tell you, because the Land League at that time was suppressed, and their operations were being carried on by the ladies, it is possible some of the ladies will be able to tell you.

61,444. Have you inquired of Mr. McGough, the solicitor—McGough and Fowler?—I have not.

61,445. Will Mr. McGough be able to tell us?—I should rather think not.

61,446. Who was the solicitor who would know?—I cannot tell you—probably some of the local solicitors—it would be probably a cheque drawn by the Ladies' Land League, if there was such a cheque.

61,447. Have you investigated this matter in any form?—I have not, as I told you, the matter passed by, and subsequently after my release all these men were released also, or the majority of them.

61,448. No, no, in connexion with this Commission I am asking you. You know the allegations in "Parnellism and Crime," do you or do you not consider it a matter of importance to ascertain whether Moonlighters were defended by the Land

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League?—I looked over the allegations in “Parnellism and Crime,” more especially in reference to myself. I do not know that I have read the document very carefully.

61,449. Do you or do you not consider it a matter of importance to ascertain whether these Moonlighters were defended by the Land League?—I did not consider it a matter of importance after my release from Kilmainham, and after the passage of the Arrears Act, that I should investigate the circumstance. I do not know that the matter ever came publicly before me.

61,450. I am speaking in reference to this Commission. Do you consider it a matter of importance or not to ascertain the facts in reference to the defence of these Moonlighters at the Cork Winter Assizes?—I should think it would have some bearing on the case, but the payment which was not made at the time that I had any official or indeed scarcely any means of controlling the payments would be a payment which I think I ought not to be held responsible for, or any of my colleagues.

61,451. Whether you ought to be held personally responsible, or any of your colleagues, I am not saying. What I ask you is do you or not approve of such a thing for one hundred guineas to be paid for defending Moonlighters?—It would depend very much. If I had been asked to make the payment myself I should have made as careful an inquiry as I possibly could into the circumstances of the case, and if I thought that the law was being strained unduly against these people—that they were not likely to receive a fair trial, and that they were innocent of the offence, I might probably and probably would in those days have entertained the request for payment; but as a general rule, my view always was, after my attention was directed to the matter of these payments, to limit them as much as I possibly could I have deliberately, after my release from Kilmainham, made one or two payments—certainly one—for the defence of a man accused of a serious crime, and in the case that I recollect, the man was acquitted. I had formed a very strong opinion that he was innocent, and also a strong opinion that in the existing circumstances of the day, he might be found guilty, unless he received a proper defence.

61,452. What case was that?—I will give you the name, but I cannot recall it just now.

61,453. You said in your answer you distinctly remembered defending a particular case; cannot you remember the name of the case?—It was some man in Roscommon who I think was tried in Dublin. It was shortly after the Crimes Act began to work. I will give you the name.

61,454. Do you suggest investigation was made by anybody, and, if so, by whom, into the case at the Cork Winter Assizes?—I cannot say that at all, because the circumstances at that time were very different; as I told you, the ladies were in sole charge; I do not think it is for me to describe the views they held at the time.

61,455. Now the Weston House explosion; do you remember the blowing up of Weston House?—Yes, I recollect it.

61,456. Were those prisoners defended by Mr. Kelly of Athlone, on the instructions of Mr. Matthew Harris?—Yes, I think Mr. Matthew Harris had got them defended.

61,457. Who found the money in that case?—I think it is very likely that I did; very likely; but I am not absolutely certain.

61,458. Subsequently to Mr. Kelly defending them, did Mr. Ryan, solicitor of Athlone, also defend them?—I cannot say; my impression is, my Lords, that I sent a cheque at that time to Mr. Harris for the defence of some prisoners, which may have been these prisoners, on Mr. Harris' representation that he had made himself personally liable for their defence; that he had engaged to defend them; and I recommended that he should enter into no such engagement in future.

61,459. Is that in writing?—I think in writing.

61,460. Does the document exist?—I should think so.

61,461. I call for it?—I do not know that it is in Court.

61,462. Who has got it?—I think probably Mr. Campbell could produce a copy of it.

61,463. Who has got the original?—I cannot say. I rather think Mr. Harris may have destroyed the original. I think he destroyed all the letters in a panic, all with the exception of—

(*Sir C. Russell.*) I am told the document is among those papers of Mr. Harris, that you yourself put in.

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61,464. (*The Attorney-General.*) I beg your pardon, there was no such document?—I have a copy of the letter and can show it to you.

61,465. To what extent were you dealing with the financial contributions at that time; drawing cheques?—I was at that time working the Arrears Act, and, of course,—it may have been a little later than the period at which I was working the Arrears Act, but if it was later, I drew the cheque on my own account, with the National Bank. If it was the earlier period of the working of the Arrears Act, I drew the cheque on the account of the Hibernian Bank, Sackville Street, Dublin.

61,466. What was the date of this matter. I should like to know what was the date of the transaction?—I think it was some time in the beginning of 1883 or the end of 1882; but I cannot definitely tell you what time.

61,467. What funds were you drawing from?—Either out of my own funds or else out of the public money, the National League money, or the Land League money in the account at Sackville Street.

61,468. You do not mean your own private money?—It is possible. I cannot speak positively, unless I knew the date.

61,469. I am asking you, I wish to know, particularly as to this—was it paid out of your own private moneys or not?—I shall be glad to give you the definite information on the question when I have referred to the matter to Mr. Harris; if it is in 1883 that it took place, it would be out of my own private money; if it was in 1882, it would be out of the Land League money.

61,470. Do I understand you to mean that you were finding the money yourself, and that you were subsequently repaid out of any funds?—No, I never was repaid in the earlier years of the National League; the remittances in America had ceased very much owing to the attacks of Mr. Patrick Ford, and his attempts to substitute the policy of violence and physical force for our policy; he had divided the movement in America, and the subscriptions were limited in number, and limited in amount for some time, as compared with what they had been, and therefore in the earlier days of the movement I probably did make some payments for public purposes out of my own private means, because I had received then a large testimonial which was more than I wanted for myself.

61,471. If that be so, and your present statement as to that be a correct statement of the facts, into what account would that be—you have not disclosed any such account?—That would be out of the National Bank account.

61,472. The National Bank account, at what date?—It was opened on the 12th or 13th March 1883.

61,473. May I take it that it must have been a payment subsequent to that?—Under the supposition that the trials took place in 1883 it would have been.

61,474. Is that the account as to which you instructed Mr. Asquith to say that we could not see—that these accounts “were purely private accounts, and Mr. Parnell on “that ground, and on that ground only, objects, and I think he is entitled to object to “the other side seeing them and directing a fishing inquiry into them”?—We considered you were entitled to see the accounts covering that period, that is to say, the account for 1883 and 1884, and, I think, 1885, and I made that offer, that I thought that portion of the accounts the Court was fairly entitled to see.

61,475. Are you aware—I am referring to page 3474—that a draft of an affidavit was produced by Mr. Lewis to Mr. Soames which you were going to make?—I had not seen that draft at that time. My impression is I had not.

61,476. Are you aware you stated this was a private account of the National Bank, which was improperly obtained by those examining on behalf of the “Times”?—I cannot recollect what was in that draft, but my impression was I had not had an opportunity of instructing Mr. Lewis at that time, not having been in communication for a day or two previously, but that I was perfectly willing that my accounts over the periods when there were drafts made for this purpose—I was perfectly willing that they should see the account at that period. My unwillingness was with reference to the period up to the date which they did not consider had any reference to the matters to which this Court is inquiring.

61,477. I do not want now to criticise your previous statement. I now understand you to say these payments made in favour of the Land League matters passed through

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the National Bank account after March 1883?—Under the hypothesis that I have already explained to you that that was the date of the trials.

61,478. Now I call your attention to this, that there is stated in the minutes of the National League to be a national fund at your disposal—had you a national fund at your disposal?—The only national fund that I had were the bonds in Paris, and the origin of that statement was the unwillingness of the treasurer to undertake the duty of investigating the outstanding accounts of the Land League which came in from time to time—the unwillingness of Mr. Albert Webb, who was the treasurer of the Land League, to investigate and discharge these accounts. He wished to throw that duty upon me and I wished to throw it upon him.

61,479. Be that as it may, that does not bear upon my question?—If you will allow me to continue, I think you will see it does—so a compromise was arrived at in this way, that Mr. Webb was to investigate and pay the accounts, and that he was to be re-imbursed afterwards by remittances from me out of the proceeds of the bonds in Paris. That is my recollection of how that matter arose.

61,480. My point which I wish to get fairly from you aye or nay is, was there any other account at which the national fund or the funds at your disposal was kept except the National Bank?—No, not at that date.

61,481. After March 1883?—Not prior to the formation of the Parliamentary fund.

61,482. After March 1883?—After March 1883, and up to the date of the formation of the Parliamentary fund, there was, so far as I know, no other banking account.

61,483. I may take it that after March 1883 there was no other account at which the National funds at your disposal were kept?—As far as I know, up to the date of the formation of the Parliamentary fund.

61,484. I cannot take so far as you know—if you mean to say that was the only account, I will pass on?—That is the only account I passed that I know of.

61,485. Was there an account before that date?—At what other date?

61,486. I will say between the years 1880 and 1883?—I have not heard of such an account.

61,487. Had you no private account then? You call this a private account?—That is a private account.

61,488. Had you no account before March 1883 of the same character as the one after March 1883?—Not before March 1883.

61,489. None at all?—No, I had no other account myself—since the date of the formation of the Land League—since 1879 I had no private account myself until I opened the account on the 13th or 12th March at the National Bank in London. I had no private account in Ireland, because I had transferred the management of my affairs to my agent some years previously.

61,490. Do you mean he made payments for you?—He made payments connected with my estate. I had no account of my own.

61,491. The testimonial to you was in December 1883?—Yes.

61,492. From where did the funds come which went to your order to this March 1883, account after March 1883?—I suppose they were remitted by the Committee—the Dublin Committee who were collecting the testimonial.

61,493. No, no, no. I am not referring to that. I may tell your Lordships in order that you may understand the point of my question, they have declined to let us see the other side of the account—the receipt side of the account after this account of March 1883, at the National Bank. I am putting to you, you mentioned the date up to March 1883.

(*The President.*) There was a discussion before in us Chambers on the subject, and I was in hopes that an accommodation had been arrived at between you. Does that difficulty still continue?

(*The Attorney-General.*) It does my Lord, I regret to say. I am informed we are to see the earlier accounts. I do not want to raise any difficulty, but with reference to my question, the fact is in the account disclosed to us the other side has not been shown to us, that is to say, the banker's debit?—I have no objection at all to your seeing both sides of the account at that early period, I thought you had seen them. I am inclined to think that Mr. Soames had the whole of the accounts for those years.

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61,494. If you state that to your personal knowledge, I will accept it?—I see no objection to it.

61,495. (*The President.*) It was objected to on your behalf?—I think not my Lord.

(*The President.*) I am stating what is my own knowledge—this was a few days ago.

61,495a. (*The Attorney-General.*) Are you aware that the only things supplied to us has been the one side of the account, and the other has been refused?—No, I did not understand that. I understood that Mr. Soames had seen both sides of the account.

61,496. Is it not the fact that very large sums of money drawn upon this private account came from Mr. Egan or from America, or from the National League moneys?—Occasionally, yes.

61,497. I must call your attention to this statement. We were complaining of not seeing the entries respecting this account, and this is a statement made on your behalf by Mr. Asquith at page 3474:—"I am instructed to say the books and the accounts " which the Attorney-General proposes to inspect are purely private accounts, and " Mr. Parnell on that ground, and that ground only, objects." Do I understand you to say that that statement was made without your concurrence?—I think that statement must have been made before I had had an opportunity of fully instructing Mr. Lewis on the subject.

61,498. As I say, did you know that the draft affidavit had been handed to Mr. Soames, and that it was stated you were prepared to swear it, in which you complained of this account being got at improperly?—I had made some complaint to Mr. Lewis in the course of the matter, and it is possible he may formed the opinion represented in the affidavit from what I said to him.

61,499. You have now stated to-day that that statement was not made in the affidavit by your authority. Listen to this:—"As I understand the Attorney-General " has now submitted an affidavit to your Lordships upon which he founds an appli- " cation to inspect certain bank books." Do you remember coming into Court afterwards and stating that it was only a private account?—Yes, it was a private account, and only a private account.

61,500. Now if you tell me I must take your statement—I mean about any name to which I refer—is a really private matter, I shall of course accept it at once. I have not the least wish to inquire into any matter that is of a private nature?—Certainly.

61,501. Now, O'Callaghan?—O'Callaghan, he is a gentleman in London who was interested in the industries of Ireland, and whom I employed to investigate the peat litter industry in Holland, and to whom I made a payment for the purpose.

61,502. Mr. O'Callaghan has nothing to do with the National League?—No.

61,503. There was no payment made to him on behalf of the National League?—No, so far as I know.

61,504. There are a large number here—you have not charged that to the National League?—There was no account kept between me and the National League. I have already told you I admit having made payments on account of the National League, and for public purposes during those years, and I consider you were entitled to an inspection of both sides of the account during those years.

61,505. Do I understand you to say that the payments to O'Callaghan have not been repaid you out of the National League funds?—Not so far as I know, Mr. O'Callaghan may have received some payments out of the National League funds, or I may have written for money for Mr. O'Callaghan for the same matter, but as far as I know the cheques I gave myself to Mr. O'Callaghan have not been paid to me out of the National League fund. Of course, there was a public purpose for which the National League fund might fairly be employed, and it was not a political purpose, or for the purpose of the inquiry before this Commission.

61,506. Will you undertake to say you were not employing the funds to make those payments—National League funds, or funds remitted from America?—I think not—I will not say definitely, but my impression is not.

61,507. Mr. O'Connor, M.P., 100l., 12th March—which O'Connor is that?—That would be Mr. T. P. O'Connor.

61,508. Do you suggest that that is a private matter?—It is very possible it was.

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61,509. Do you undertake to say it was?—It may have been a payment to himself personally, or an account of Irish members generally, but I cannot tell you which it was, but it was one or the other.

61,510. Would not that be carried to the other—debited against the account from the National League?—Not at all. My impression is no funds came to the National League to that account of mine.

61,511. Where did the funds come from?—Out of my own pocket.

61,512. The whole of them?—I cannot say, I never credited to my account any that came from America—I have no recollection of any such credit, but I may have done so, because I know I have done so from time to time.

61,513. There is Carroll, 22nd March—what Carroll is that? [*The Witness produced a pass-book.*] When does that pass-book begin?—What date, do you mean?

61,514. I ask first when did that pass-book begin?—On the 12th March.

61,515. Now Carroll, 22nd March?—The 12th March 1883. I think that that is a clerical error.

61,516. For what?—For Carvil—that would be a private matter.

61,517. Now Stretch—you can follow me—83*l.* 12*s.* 11*d.*?—That would probably be some old application of the Ladies' Land League which was sent on to me for payment.

61,518. That is scarcely a private account. Clara Stretch was one of the secretaries of the Ladies' Land League?—That payment was made out of my own private fund.

61,519. (*The President.*) I do not think that is the limit whether it comes out of your private funds?—I understand that perfectly, my Lord.

61,520. (*The President.*) If it related to the Land League matters, I think that we ought to be informed of it?—Yes. Well, I was quite willing your Lordships should, and immediately I came into Court I instructed Mr. Lewis that I was perfectly willing, when the matter was raised, after I heard it had been raised, that my account on both sides during these earlier years should be given, because I recollected generally that I had made payments of this character.

(*The President.*) I hope after that statement we shall not have any further difficulty on this subject, it would be much better. Care can be taken that the information shall not go beyond those who ought to know it for the purpose of this inquiry.

(*The Attorney-General.*) Now we have a consent to see the other side of the account, there will be no further difficulty.

(*Sir C. Russell.*) Now Mr. Parnell understands what your Lordships' wishes are, he will go through this account, and mark anything relating to Land League or public purposes as distinguished from private purposes.

(*The Attorney-General.*) There are certain questions I must put to Mr. Parnell in reference to them.

(*The President.*) I threw out the suggestion of that kind when the matter was before us in Chambers, and I was in hopes it would have been settled. Mr. Asquith is not here, I see.

(*Sir C. Russell.*) As a matter of fact, my friend Mr. Asquith did desire to have definite instructions upon this point from Mr. Parnell, who was not well on Friday, and left town at once, and he did not see Mr. Parnell again.

61,521. (*The Attorney-General.*) “21st March, Harris 50*l.*”?—I should think that is very likely the cheque in question for the defence of the persons who were charged with this offence in Galway.

61,522. Will you undertake to say it was?—I cannot say it is.

61,523. Will you undertake to say that that was not paid to Mr. Harris for the defence of the Weston House prisoners?—I cannot say; it might have been personal use, but I cannot say.

61,524. Did Mr. Harris go to America about that time?—That I do not recollect.

61,525. You have no recollection?—No, I think he went some time subsequently—that is my recollection.

61,526. The O'Connor cheques at the present, you can only say they are to Mr. T. P. O'Connor or John O'Connor?—Those cheques are to Mr. T. P. O'Connor. I should think they would be in favour of the Irish Press Agency.

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[Continued.]

61,527. You do not suggest, do you, that the payments to the Irish Press Agency would be payments which would be made out of your private account?—I paid them out of my own private money.

61,528. But not ultimately out of your own private money?—Undoubtedly.

61,529. And never repaid?—And never repaid.

61,530. That you are sure?—Yes.

61,531. “Mr. McCarthy 100*l.*, 13th June 1883.” Do you know what that was for?—No, I cannot say at this date who that payment was made to—whether it was made to Mr. Justin McCarthy or what it was made for—not at this time.

61,532. Now just look in July please. “M'Closkey, 23rd of July.” Who was he?—I am inclined to think that that relates to some industrial attempt which was made in the North of Ireland to give employment to the poor people in the way of an industrial fund, and that this payment was given to this lady, Miss M'Closkey, who, if my memory is right, was interested in the matter, to help her in starting this industry, but I am not quite clear. It may have been a payment to some of the ladies of the Land League for some old outstanding liability.

61,533. “McGough, 30th July, 63*l.* 11*s.* 8*d.*”?—That would probably be the Land League solicitor.

61,534. For what?—For some outstanding liability of the Land League, I should think. But it might not have been so.

61,535. Are you quite sure that that was not the Cork prisoner's bills?—I cannot say indeed. It was some liability entered into before my release from Kilmainham, or before I undertook the management of affairs subsequent to the passing of the Arrears Act, if it was in relation to any matter of that kind.

61,536. “12th September 1883, O'Kelly, 9*l.* 10*s.* and 100*l.*” Was that private business?—Yes, that would be private matter.

61,537. Will you undertake to say that?—Yes, I am sure of that.

61,538. Nothing to do with the National League?—Nothing to do with the National League.

61,539. And paid out of your private funds ultimately?—And paid out of my private funds ultimately.

61,540. That you were sure about?—Yes.

61,541. I must ask you to answer me carefully about it because, of course I have other witnesses to examine about it. I understand you to say distinctly that was nothing to do with the National League or Land League, and was not in any way repaid you?—No, I believe not. I believe it was never repaid to me.

61,542. Do you undertake to say so?—Certainly.

61,543. Do you undertake to say that had nothing to do with the National League?—It had nothing to do with the National League. It was a private payment to Mr. O'Kelly.

61,544. “3rd of January 1884.” I am only taking some of the principal ones at present. “Hibernian Bank 3,000*l.*” That is not out of your private moneys. My Lord, I could hand to your Lordships, if it is any convenience, a lithographed copy of the accounts so far as it has been given to us.

(*The President.*) I have only taken down some salient points. It is not necessary.

61,545. (*The Attorney-General.*) “Hibernian Bank 3,000*l.*”?—This was a payment of mine.

61,546. Out of your own moneys?—I should think so, certainly.

61,547. Will you undertake to say so?—Oh, undoubtedly, yes. This was a payment to my agent.

61,548. That Hibernian Bank was a private matter, 3,000*l.*?—Yes.

61,549. You are quite sure of that?—Quite sure of that, yes. I spend about 7,000*l.* a year in wages in Ireland. I have to make large remittances.

61,550. “2nd February 1884. Hibernian Bank, 1,000*l.*”?—Yes, that is also of the same nature.

61,551. That is private?—Yes.

61,552. Nothing to do with the League?—Nothing whatever.

61,553. That you pledge your word to?—Yes.

61,554. Now, “Byrne 5th February 1884, 5*l.*” What is that? It is entered in your pass-book No. 36,559?—I should think that would be some small personal payment; but of course I have no recollection of it—5*l.*

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61,555. "25th February 1884. Boyton 100l."?—That was a payment I made to Mr. Boyton on account of the distressed condition in which he found himself after his long imprisonment in Kilmainham to enable him to furnish his house.

61,556. Where?—In London here.

61,557. Where was the house, please?—I can find out the address of it for you.

61,558. Do I understand you to say that was a payment made out of your private funds?—Certainly.

61,559. Never repaid?—Never repaid.

61,560. "O'Brien, 1st March, 100l."?—It is very probable that that was a payment to Mr. William O'Brien.

61,561. For what?—I cannot recollect at this moment.

61,562. Do you suggest that is a private affair?—Certainly not, no. I have already admitted over and over again that there were many public payments in these years.

61,563. Forgive me. I cannot quite accept that statement; you have already admitted that over and over again. I have your answer to-day. Kindly point, if you can, to any single statement, prior to this statement to-day, that these payments were made on public matters, as you now call them?—I told Mr. Lewis, at the time when the matter came before the court before, that undoubtedly in these years there had been many public payments made by me in earlier years, and I thought that the "Times" was entitled to an inspection of the account during those years.

61,564. "The 15th March, Sexton 100l." Do you say that was a private matter?—Certainly it was a private matter.

61,565. That you are sure of?—Yes.

61,566. "28th March 1884, Redmond 170l."?—That would be a private matter.

61,567. Do you pledge your word it was?—I believe to the best of my belief.

61,568. You are not entitled to put to me to the best of your belief. You say you are doubtful. Will you undertake to say that it was a private matter?—I do undertake to say it, yes.

61,569. You have no doubt about it?—I have no doubt whatever about it; to the best of my belief it was a private personal matter.

61,570. Do you recollect what the private matter was as to Mr. Redmond on the 28th March 1884?—It was a sum that I had paid to himself for his own purposes, I believe.

61,571. Do you undertake to say that that is unconnected altogether with either Land League, or political purposes, or anything of that kind?—I believe so, quite unconnected.

61,572. Will you pledge your word it was?—I believe so, to the best of my recollection.

61,573. (*The President.*) Do you mean, Mr. Parnell, it was a loan?—Yes.

61,574. Was it in consequence of any application by him to you?—I should think so.

61,575. Have you got means of referring to it?—I should think, my Lord, that Mr. Redmond would be able to explain it. Of course in going over a number of payments made during a long course of years, without any documents except the entries in the pass-book to refer to, it is not possible for me to remember in every case so clearly as to absolutely state positively that it was so; but to the best of my belief it was so. I cannot remember any other purpose in connexion with the Land League or the public movement that Mr. Redmond should have wanted any money for.

61,575a. (*Mr. Justice A. L. Smith.*) Which Mr. Redmond?—It would be either Mr. William Redmond or Mr. J. E. Redmond; but I cannot recollect which.

61,575b. (*The Attorney-General.*) At present I have not seen the other side of the account. I suggest to you that considerable credit, that is to say, money placed to your credit on the other side of the account, are not private matters at all?—That is not so, so far as we have gone.

61,576. Not a farthing?—I am looking over the credits. If you will allow me to look over the credits from the beginning I will give you my general opinion.

61,577. (*The President.*) It is unfortunate that that was not done before the inspection of that side of the account was refused?—Well, my Lord, I never refused it, or understood that it had been refused, or suggested its refusal.

(*The Attorney-General.*) My Lord, of course your Lordship has heard the evidence, and I am not entitled to comment upon it now; but I am justified in saying that beyond

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the statement made by Mr. Asquith that they are purely private accounts, and that on that ground Mr. Parnell objected to their being produced, and the draft affidavit handed to us to the effect that this account had been improperly obtained, which it was stated by Mr. Asquith, Mr. Parnell was prepared to swear if I desired it, there was no communication to us of willingness to let us see this account or either side of it until this moment.

(*The Witness.*) Well, I had not the slightest idea that the other side of the account had been refused. My belief was that you had seen both sides.

(*Sir C. Russell.*) I am informed (Mr. Soames will say whether correctly or not) that they got an order for the seeing of this account, and that Mr. Soames therefore had the opportunity of getting on that order both sides of the account; but that Mr. Soames expressed himself, as I am told by Mr. Lewis (I personally know nothing about it for I have taken no part in the discussion at all) satisfied with the copy of the debit side of the account, and I do not see myself why if the order of the Court authorised him to see the whole, he did not obtain it.

(*The President.*) I am now speaking of what occurred in the presence of myself.

(*Sir C. Russell.*) Your Lordship means on the last day or the day before?

(*The President.*) Yes.

(*Sir C. Russell.*) My friend, Mr. Reid, was before your Lordship I think, but Mr. Asquith was not there. This occurred a month ago I am informed.

(*The President.*) Whatever occurred a month ago, only a few days ago Mr. Reid was instructed to say that the one side of the account was not to be produced, and I went into an examination of the matter, and stated my reasons; but up to that moment it was being refused.

(*Mr. R. T. Reid.*) Your Lordship is of course perfectly accurate. I was myself under the impression at that time that the order had been a limited one. Your Lordship may recollect that I spoke of it in that sense.

(*Mr. Justice A. L. Smith.*) I thought it was arranged with Mr. Reid that Mr. Parnell was to swear an affidavit which up to that time he had not sworn.

(*The Attorney-General.*) Yes.

(*Mr. R. T. Reid.*) No; with deference your Lordship is mistaken as to that. That was another matter. What was suggested by me was that my learned friends Mr. Asquith and Mr. Graham should confer and see if they could arrive at the same conclusion as Sir Henry James, and I had done with reference to another matter.

(*The President.*) But that was in consequence of one side of the account not having been seen up to that time.

(*Mr. R. T. Reid.*) I was under the impression myself at the time as, I think, I conveyed to your Lordship, that there had been a limited order.

(*The Attorney-General.*) I think it only right to state, as Sir Charles Russell has stated his instructions, what my instructions are, namely, that this account was refused us altogether on the ground that it was a private account. We made an affidavit; there was no affidavit in answer. Then we came into Court, and Mr. Asquith offered to me to swear the affidavit that it was a private account. Then it was offered to Sir Henry James to see the one side of the account, the other side being refused up till this moment, and the suggestion that we were entitled to see the other side of the account has been resisted until Mr. Parnell has made this statement in the box.

(*The Witness.*) I was under the impression, my Lord, that the order was an unlimited one with respect to those years.

(*The Attorney-General.*) There was no order at all.

(*The Witness.*) That it contained no limitation whatever, and I never suggested any limitation of it. I never heard any limitation of it. The only statement I have ever made about it in public I made to your Lordships. I told Mr. Soames in Court privately that he was perfectly welcome to see my account during the years 1883, 1884, and 1885, if he wished, because during those years I believed that there had been some payments of a public character made through that account, and Mr. Soames said that he would be satisfied to see it for the years 1833 and 1884; but to this moment I have never heard anything about any limitation as regards the inspection of that account as related by the Attorney-General.

61,578 I must put this distinctly to you in consequence of what you have said. Do you know anything of the draft affidavit which complained of a private account

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having been seen, and objecting to any further inspection because it was a private account?—Yes, I may have looked it over hastily.

61,579. Was that statement made upon your authority or not?—It was made after hurried reference to the matter between Mr. Lewis and myself, but without sufficient instructions.

61,580. Was it a correct statement?—I should think it was not a correct statement.

61,581. Did that not refer to this very account I am now cross-examining you upon?—I think so, yes, evidently.

61,582. Are you aware that your counsel offered that you would swear that affidavit if we persisted in asking to see this account?—I do not know. I was not in Court at the time, and I have not seen the report of the proceedings.

61,583. Now, I must go on, if you please, with the items I have got. “McDermott, 250l.”?—You are quite welcome to see the other side of the account in these pass-books if you wish.

61,584. We shall see them in the bank book. McDermott 250l. Who is he?—He is my private solicitor in Dublin.

61,585. Biggar, 9th April, 100l.; is that a private matter?—Yes, that is a private matter.

61,586. Do you mean a loan, or what?—That was some money Mr. Biggar had lent to me in 1880, when I had no resources and I paid it back to him.

61,587. That you have a clear recollection of?—Yes.

61,588. “National Bank, 500l.” What is that transferred to?—What is the date of that?

61,589. “16th April, National Bank, 500l.”?—16th April 1883.

61,590. 16th April 1884, the same day. Were you referring to 1883 when you explained Mr. Biggar’s 100l.?—No; I had not the item in my mind; but I spoke from recollection.

61,591. Kindly refer to 16th April 1884. “500l. National Bank.” What account was that to?—I cannot tell you off-hand; but I am disposed to think that it was not a public matter; but I can easily ascertain for you.

61,592. I must ask you to be particular about this matter. Was there an account of the National Bank to which you transferred 500l., or to which you authorised the transfer of 500l.?—Clearly.

61,593. What was that account?—I do not say that there was an account to which I transferred the money.

61,594. The bank would not debit your account in their own name with 500l. without your authority?—It may have been a certified cheque for the payment of some property that I had purchased in Ireland at the time, but I cannot say for certain.

61,595. Do you represent that 500l. to the National Bank was a private transaction?—It may have been a private transaction or it may have been a public one. I can ascertain for you and give you the answer as soon as I have ascertained.

61,596. It is a matter of considerable importance, and I ask you if you cannot give it me now to give me the account to which that 500l. was transferred. It will appear upon the note and I can come back to it?—I do not know anything of any account at the National Bank to which that 500l. was transferred. I can easily find out for you.

61,597. I do not notice the numerous O’Connor cheques. I presume you say they were all covered by your answer that it was a reference to this press business?—I should think so; but I am not sure whether the press agency had ceased to exist at that time, but they would be personal matters between us.

61,598. Now “6th May, O’Brien 100l.”?—Are there any other items you wish me to give you information upon that we have gone over previously?

61,599. I wish to have information with respect to all I have asked you about if you are not certain they are private accounts?—I will look them up in the report.

61,600. “6th May, O’Brien, 100l.” is that a private matter?—I think you have already asked me about that.

61,601. No; I have not. I have asked you about earlier payments to O’Brien, but not this one?—I cannot say whether that was a private or public matter, or whether that was to Mr. William O’Brien at all, but I can ascertain for you quite easily.

61,602. Do I understand you to say that is out of your private moneys?—Yes, that is out of my private moneys.

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61,603. I am not speaking of your private account, because we know it is out of funds which were supplied by your private resources?—Yes, I should think so.

61,604. You undertake to say that?—Yes.

61,605. "Larkin, 1st June, 35*l*." Who is he?—Mr. Larkin is a gentleman in London whom I employed in the same business as Mr. O'Callaghan

61,606. Is he anything to do with the gentleman who was correspondent of the "Irish World"?—Not at all.

61,607. What is this Mr. Larkin's christian name?—I cannot tell you his christian name at the moment. I employed Mr. Larkin in the peat industry business also.

61,608. Is J. J. Larkin that gentleman's name?—I think so, yes.

61,609. Do you know that Mr. Larkin personally?—Yes. I have known him since I have employed him in this business.

61,610. Do you know whether he is the same person who took the chair at the Walsh testimonial?—I cannot tell you at all.

61,611. "Mr. McGough, 600*l*., the 17 June"?—I should think that would be a public payment.

61,612. You mean Land League payment, or National League payment?—Yes.

61,613. "Redmond, 21 June, 50*l*."?—That would come under the same heading. That would be a personal payment.

61,614. But do you undertake to say that is some private loan or transaction, whether it comes under the same heading or not?—I believe it is, but Mr. Redmond will speak more specifically to it.

61,615. (*Sir C. Russell*.) Which Redmond? Does it say?—It does not say, but I can find out.

61,616. (*The Attorney-General*.) May I take it they are all that one Mr. Redmond?—They may have been. They may have been with both. I can easily find out for you if you wish.

61,617. "3rd July 1884, Larkin." That is the same gentleman?—Yes.

61,618. "14 July, Redmond, 150*l*."?—Yes. That might have been to cover Mr. Redmond's expenses to America, but I am not absolutely certain.

61,619. I call your attention; 170*l*., 50*l*., and 150*l*. within the space of three months to Mr. Redmond?—Yes. Some of them would be for public purposes and some for private. I think that this payment of 150*l*. would have been to cover the expenses of Mr. J. E. Redmond to America to attend the convention there.

61,620. In the year 1884?—Yes.

61,621. If they were to cover Mr. Redmond's expenses to go to America, where did the money come from?—It came out of my own pocket.

61,622. Public purposes?—Yes, certainly.

(*Sir C. Russell*.) Is it J. E. Redmond?

61,623. (*The Attorney-General*.) It is not mentioned.—That would be J. E. Redmond, I think.

61,624. "18th July, National Bank, 500*l*." That is a second 500*l*. from the National Bank, you observe, within three months after the first. To what account did that go?—I do not know of any account that it went to, but I can easily ascertain for you what those payments are.

61,625. You had better note that, please. Tick it in the book or in some other way. What sort of payments were you making to Mr. Larkin, what sort of amounts; how much altogether?—I should think I paid him about 1,000*l*. altogether. I had leased a piece of land in Ireland for the purpose of seeing if the peat litter industry, which is so extensively pursued in Holland, could be introduced into Ireland, and we were working it over there.

61,626. "Sexton, August 1st, 100*l*." Was that a private matter?—Unless there was an American convention about that time that would have been a private matter.

61,627. Then "Fallon, 21st August, 120*l*." Who is Fallon?—He is a man in Ireland who had lent me some money, and I paid it back to him.

61,628. It is a private matter?—Yes.

61,629. Now I notice M'Closkey again on the 11th October 1884. Do you know that?—I should think that would be the same thing, in reference to the same matter, this Donegal Industrial Fund.

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61,630. "27th October 1884, Gallagher, 50l." Who is that?—That I cannot say, but I shall be able to ascertain it.

61,631. What Gallagher could it be to?—I am sure I do not know. I have not the slightest notion, but I can easily find out for you.

61,632. Have you any document there which will enable you to find out?—I was just seeing whether I had any of the old cheques or not.

61,633. Have you the returned cheques of this banking account?—I think so, yes.

61,634. Then I will ask to see them, please, if you have the cheques?—I think I have some of them anyhow. No, these are not the blocks of that account.

61,635. If you have any cheques you will kindly produce them?—Certainly.

61,636. Of what account are those the counterfoils?—These are the account of Mr. O'Connor and Mr. Dillon and myself at the Hibernian Bank in Dublin.

61,637. Not the National Bank?—No; do you want the dates?

61,638. We can see them presently. Will you kindly tell me what dates those cheques or blocks run over. It may be of importance?—The 31st of August 1882 is the first cheque, and the last was the 10th of January 1883.

61,639. Those would be a public account?—These would be public—out of public money, yes.

61,640. Have not you got the earlier ones?—I think that is the commencement of the account.

61,641. You have not any earlier ones there?—No, these are the only ones I ever had. If there are any earlier ones the Ladies Land League kept the blocks, and I never had them. August the 31st 1882 is the earliest one I ever had.

61,642. At present you are not able to give me any information about Gallagher. You have no document there?—No.

61,643. "7th of November, Healy, 150l."?—That was a private matter.

61,644. That you are sure?—Yes.

(*The Attorney-General.*) With reference to those documents I do not know what steps your Lordship will think fit to take. Those documents we were entitled to see before.

(*The President.*) We will not go back to that. Now, I hope there will be no difficulty, and that all these documents will be produced as I have said, taking care that they are only produced in the presence of persons who can be relied upon not to carry the information further.

(*The Witness.*) I may explain that at the time I made my affidavit, I did not know I had these blocks in my possession. I only discovered them afterwards, some time afterwards, scattered about among my papers.

61,645. (*The Attorney-General.*) When did you discover them?—I could not tell you the exact dates.

61,646. How long ago, I mean to say?

61,647. (*The President.*) You ought to have been informed, Mr. Parnell, that it was your duty to make search?—Well, my Lord, I have been making search at intervals all the time through my papers.

61,648. (*The Attorney-General.*) Are you aware of any communication having been made to Mr. Soames or anybody that these documents had been discovered?—No, I think not. I do not think that I ever told Mr. Lewis that I had discovered them.

61,649. "7th November, 1884, Healy 150l." you say is a private matter?—Yes, that is a private matter.

61,650. "25th November, 1884, Hibernian Bank, 1,400l."?—That is also a private matter.

61,651. "2nd December, Hibernian Bank, 200l."?—Yes, that is a private matter.

61,652. "13th December, Hibernian Bank, 200l."?—Yes, I think all those are private matters.

61,653. "20th December, Boyton, 25l." What is that?—That would be a small sum paid to Boyton who was in very poor circumstances at the time to help him.

61,654. Had you no corresponding account with similar entries to these before March 1883, except that one in the name of yourself Mr. O'Connor and Mr. Dillon?—No, I had a private account which was dormant at the Hibernian Bank, Dublin, but which I never drew upon.

61,655. That you are clear about?—Quite clear.

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[Continued.]

61,656. You are quite sure of that?—Quite sure. I had no money to put into a private account during those years.

61,657. Do you know what accounts there were at the Charing Cross Bank and the National Bank in respect of which any of the members of Parliament were interested, and upon which they had authority to draw cheques?—I do not know. I have never had any personal knowledge of those accounts.

61,658. Do I understand you to say you do not know what accounts there were there?—I do not know. I believe Mr. Biggar has an account there, and that Mr. Justin McCarthy is his colleague.

61,659. Any other account do you know of there?—No, I do not know of any other accounts.

61,660. From what date did you know of Mr. Biggar's account?—I should think Mr. Biggar's account would be some time prior to the General Election of 1885, when the remittances came in for the parliamentary fund to any extent, but I do not recollect when it was first opened.

61,661. That is all I can ask you about these accounts at the present time. I am afraid I may have to ask you some questions when I have seen the other side of the account afterwards. Now, one or two matters which I have missed which I am obliged to ask you about. Do you know John Torley?—I knew of him as a very violent and extreme man, who was very much opposed to our policy, and who, I believe, is still opposed to it in Glasgow.

61,662. Did you know him?—I do not think I ever met him personally.

61,663. Will you undertake to say you did not?—The only time that I have ever any recollection of having seen him personally was when he accompanied John Daly, of Limerick, down to break up my meeting near Glasgow. I think he and Daly were together.

61,664. That you said was in the year 1877 or 1878?—Yes. That is the only time I ever have any recollection of him.

61,665. Will you undertake to say you did not see John Torley from the years 1880 to 1888?—To the best of my belief not.

61,666. O'Hanlon; did you know him?—Do you mean the O'Hanlon who broke up our meeting in Dublin?

61,667. Did you know him?—I never heard of him till the name appeared in the newspapers.

61,668. Did you know him afterwards?—Never afterwards.

61,669. Or any other O'Hanlon?—No.

61,670. P. N. Fitzgerald, did you know him?—P. N. Fitzgerald, I have met from time to time. He is a Cork man and one of my constituents.

61,671. What did you know P. N. Fitzgerald as?—I know him as an advanced man, who is very much opposed to my policy and to the Land League from first to last.

61,672. P. N. Fitzgerald I understand you to say was a man opposed to your party?—Undoubtedly, strongly and consistently. He considers that we are demoralising the Irish people and drawing them away from the true path.

61,673. Have you seen him often?—I have seen him occasionally from time to time.

61,674. Conversed with him?—Certainly. Whenever I see him I always talk to him.

61,675. On friendly terms with him?—Yes, personal friendly terms. He always tries to reason me out of the errors of my ways and I try to reason with him and neither of us has any success.

61,676. M'Guinness, of Preston, do you know him?—No, I have never heard of him.

61,677. Are you sure?—I have never seen him or heard of him.

61,678. Not to your knowledge?—No.

61,679. John O'Connor, at least I believe it is said to be John O'Connor, alias Dr. Clarke. Did you know him?—Yes, I met him in 1880 and 1877 and those years.

61,680. You have known him?—I have known him I should think since 1877.

61,681. And seen him not unfrequently?—The last time I saw him was about four or five years ago, I should say.

61,682. But you saw him in 1881?—Not in 1881, I think.

61,683. In Paris?—No, not in Paris.

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61,684. Are you quite sure?—To the best of my belief, not.

61,685. Will you undertake to say you did not?—I will not absolutely deny it, but, to the best of my recollection, I did not.

61,686. Did you see him in the course of the year 1881?—I do not recollect having seen Mr. John O'Connor since the second Irishtown meeting.

61,687. What was John O'Connor—Dr. Clarke?—I do not know that I knew him under the name of Dr. Clarke. I used to know him as John O'Connor, the brother of Mr. James O'Connor, of the "Irishman" newspaper.

61,688. What was he?—He was one of these advanced Nationalists.

61,689. But I must ask you, if you please. Do I understand you to say you did not repeatedly see John O'Connor yourself during the years you have referred to up to three or four years ago?—I met Mr. John O'Connor first in the year 1877 as well as I can recollect, and I saw him at intervals then up to the second Irishtown meeting, and I believe that was the last time I did see him.

61,690. What was John O'Connor doing, as far as you know?—So far as I know, he was trying to destroy and injure the Land League in every possible way that he could.

61,691. That was your information about him?—That was my information about him, and also derived from conversation with him.

61,692. Did you know of him being constantly with Patrick Egan?—He was strongly opposed to the Land League ways, and took a prominent part in driving it away out of Mayo.

61,693. Did you know him as being with Mr. Patrick Egan?—No, not in these latter years.

61,694. At any time?—I may probably have met him or seen him with Egan in the earlier years, 1877 and 1878, but not since then.

61,695. Will you undertake to say you have never seen him with Egan, or known of his being with Egan, after 1877 or 1878?—Or 1879. I have never, so far as I can recollect, seen him with Egan since the Land League was formed.

61,696. Or heard of his being with him?—Or heard of his being with him.

61,697. Mark Ryan, do you know him?—I have never met him. I know of him.

61,698. Who is he?—He is a medical man in London.

61,699. Exmouth Street?—I do not know his address.

61,700. Do I understand you have never met Mark Ryan?—I have never met him.

61,701. At any time?—At any time.

61,702. That you will pledge your oath to?—That is the best of my recollection.

61,703. To the best of your recollection, Mr. Parnell, do I understand you to say you have never seen Mark Ryan?—That is to the best of my recollection.

61,704. Do you know him to speak to?—No, I should not know him if I saw him in court, or in the street to-morrow.

61,705. Have you spoken to him in the presence of Mr. Davitt?—No, I think not.

61,706. Will you swear you have not?—Certainly; not in any recent years within my recollection.

61,707. Within what time will you undertake to say you have not seen Mark Ryan?—I do not believe that I have ever seen him in my life.

61,708. In Mr. Davitt's presence?—In Mr. Davitt's presence or in anybody else's presence.

61,709. Do you know one way or the other whether Mr. Davitt knows him?—Mr. Davitt, I believe, knows him very well.

61,710. Dr. McInerney, do you know him?—I know of him. I do not know him personally.

61,711. What did you know Dr. McInerney as?—I knew him as one of the advanced people who come over here and ridicule us, and try and prevent the people from following us.

61,712. Now, did you know any of those names as connected with the Fenian organisation in 1884?—I hear generally about them, but I have no knowledge of them. None of those names you have mentioned to me have ever had any connexion with our organisation or movement. They have been all of them without exception opponents of our movement.

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[Continued.]

61,713. Were those persons in the Fenian organisation in 1884?—I cannot tell you that.

61,714. You do not know?—I do not know anything about it.

61,715. You knew them as being advanced people?—I hear of them—I know what their reputation is, that they were opposed to our movement because they considered we were leading the people of Ireland astray.

61,716. Did you know P. S. Cassidy?—No.

61,717. Never?—Never.

61,718. That you are sure?—Quite sure.

61,719. General Millen?—I have never met him.

61,720. Did you know him?—I tell you I have never met him.

61,721. You knew, I think, Dr. William Carroll very well, as I understand?—Yes, I knew Dr. William Carroll very well.

61,722. Was Dr. William Carroll in Ireland in 1878?—He was in Ireland in 1877.

61,723. And 1878?—I think not so late as 1878; but he was in Ireland in 1877.

61,724. Are you sure it was not 1878?—I am not sure; but my impression is he was in Ireland in 1877, and not in 1878. He might have been there without my knowing it.

61,725. Did you see him?—I have seen him frequently in Ireland.

61,726. In 1887?—Yes.

61,727. On the occasion of Dr. William Carroll's visit in 1877 or whatever it was—I put it to you 1877, but about that time—did you not see Dr. William Carroll repeatedly?—In 1877 I must have seen him repeatedly.

61,728. Did Dr. William Carroll communicate with you about joining the "New York Herald" fund in 1880?—I should think he probably would have done so, yes.

61,729. Did you not communicate by telegram and letter with Devoy through Dr. William Carroll with reference to joining the "New York Herald"?—I have no doubt I communicated with Mr. Devoy, probably both by telegram and letter; certainly by telegram.

61,730. Dr. William Carroll being your intermediary?—I cannot say; I think I communicated directly with Mr. Devoy.

61,731. I will just put these dates to you. I will tell you I am taking them from the "New York Herald." Did you not telegraph to Dr. William Carroll on the 16th February 1880 in these terms:—

"Parnell to Dr. Carroll.

"Please convey to 'Herald' my consent to act on committee subject to
"conditions of last Baltimore telegram."

It is very possible. I have no definite recollection of it, but I remember the discussion which was going on at the time as to whether I should accept the invitation.

61,732. Have you any doubt that is a genuine telegram?—I have no doubt.

61,733. Did you not telegraph to the "New York Herald" the same day:—

"Mail due yesterday. Conditions on which I can join your Committee same
"as those communicated to you yesterday on my behalf by Dr. Carroll,
"Philadelphia."

—Yes, I think that is very likely.

61,734. Do I understand you to say you did not know that Dr. Carroll was a leading member of the advanced section?—I knew he was a man who held advanced views and opinions.

61,735. Now, Alexander Sullivan came to Ireland, did he not, about the end of 1881 or the beginning of 1882?—I do not know. Your witness states so.

61,736. Do I understand you to say you did not see him?—I did not.

61,737. At no time?—At no time.

61,738. You are quite sure of that?—Quite sure.

61,739. Think carefully. I understand you to say you never saw Alexander Sullivan after 1881 at all?—I never saw him after I left America in 1880.

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61,740. Did you know his wife?—Yes, I knew Mrs. Alexander Sullivan.

61,741. Have you seen her?—I met her accidentally once at the Westminster Palace Hotel.

61,742. When?—About 1882.

61,743. Do you know what name she was passing under?—I did not know. I supposed she was passing under her own name.

61,744. Do you know she was not passing under her own name, or not?—I did not know. I assumed she was passing under her own name. I have no reason to suppose she was not.

61,745. Do you know what business she was over about?—She told me she was travelling with a lady friend of hers whom she was taking care of—chaperoning I believe—travelling in England and Ireland, and on the continent. I met her quite accidentally with Mr. T. P. O'Connor. We had gone over to Westminster Palace Hotel to lunch, and Mr. O'Connor said:—"There is Mrs. Alexander Sullivan." We went over to her and had a chat with her, and went away.

61,746. That is the only knowledge you had of her visit?—At that time. She visited the country subsequently in 1886. I saw her then also.

61,747. What mission was she over on then?—I believe she had some mission of the same kind; she was travelling.

61,748. Chaperoning a young lady I should scarcely call a mission?—She was travelling with some lady friend.

61,749. That is all you know?—That is all I knew.

61,750. That you are quite sure about?—That I am quite sure about, yes.

61,751. Do you remember Gallagher's trial?—Dr. Gallagher's? Oh, yes, perfectly.

61,752. When was that?—That would have been, I think, some time towards the end of 1882; but I am not clear.

61,753. Or the beginning of 1883—one or the other?—Yes.

61,754. Was Boyton over here at the time of Gallagher's trial?—I should think so. Boyton was living in London from the time that we were released from Kilmainham up to about a year ago.

61,755. Did Boyton come over from America at the time of Gallagher's trial?—That I cannot say.

61,756. You have no knowledge of it?—No.

61,757. Do you know whether he came over with Gallagher's sister?—I do not know. I did not know he had come over from America at that time.

61,758. Do you know whether he had anything to do with the defence of Gallagher?—No; I have no knowledge. I never heard.

61,759. You never heard at all?—I never heard at all.

61,760. It is quite news to you—altogether?—Perfectly news.

61,761. I forgot to ask you the other day whether you knew whether Austin Ford was a member of the Clan-na-Gael?—My strong impression is that none of the Fords were ever members of the Clan-na-Gael.

61,762. Did you know J. P. Hayes?—I do not recollect him.

61,763. Think?—If I were to look over the records of the day which I brought with me from America, I might be able to find his name, but it presents no special significance to me.

61,764. Did you know whether Mr. Davitt knew J. P. Hayes?—No, I never heard him talk about him.

61,765. Did you know of J. P. Hayes coming to Paris recently?—No, I never heard about it.

61,766. Never heard about it?—Oh, excuse me. Hayes, the man who was in London in 1885? I have heard of that man certainly.

61,767. Did you know him?—I did not know him. I never met him. He tried to obtain several interviews with me at the time, but I always refused to see him.

61,768. Did you know of his coming to Paris?—Yes, I sent for him. I sent for that Hayes to come over from America to see Mr. Davitt in Paris.

61,769. Joseph Casey—Did you know him?—I sent for him for the purpose of obtaining information about Pigott, which subsequently enabled us to expose Pigott.

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61,770. Patrick Casey—did you know him?—Patrick Casey I know of. I have never met him.

61,771. When was the first time you were in communication with Joseph Casey?—When Mr. Davitt went over there to obtain information about Pigott from him.

61,772. Now you have spoken of your high opinion of Mr. Egan, and you expressed an opinion (I do not want to repeat the actual words again) that Mr. Egan, though advanced, would have nothing to do with physical force. Do I understand you have no knowledge of Egan joining the Clan-na-Gael at all?—No, I never heard it at all.

61,773. Or, as you told me on the last occasion, of his starting the Martyrs' Fund?—Or of his starting the Martyrs' Fund.

61,774. If Egan did within a few months after his going over to America join the Clan-na-Gael, and continue an active member of it during the time of the development of the dynamite policy which has been referred to, would that change your opinion about Egan at all?—I should have regretted very much his drifting back into revolutionary feelings and thoughts, but I should not have regarded it as unnatural.

61,775. Do you know who were the representatives of the Fenian Brotherhood at the secret convention of 1888?—I have not the slightest notion.

61,776. No knowledge at all?—No knowledge whatever.

61,777. Then, I take it, if I suggest their names, it will not help you?—No, that will not suggest anything to me.

61,778. There are one or two matters I must put to you. Perhaps it is in connexion with what I have just asked you about Mr. Egan supporting the Martyrs' Fund. You must take the assumption from me. Assume that Mr. Egan started the Martyrs' Fund "as an incentive to others to do that"—I am quoting from the paper—the Martyrs' Fund, being a fund for the families of those convicted of the Phoenix Park murder—if Egan had started the Martyrs' Fund "as an incentive to others to do likewise," does that appear to you to be the view of a man who was in favour of constitutional action?—Yes; I have already stated I do not see any objection to subscriptions to the fund, the object of the fund being the succour of innocent victims of the crimes.

61,779. As an incentive to others to do likewise?—As an incentive to others to subscribe.

61,780. Do you really think I meant that?—Certainly I did.

61,781. Then I must repeat my question to you. Mr. Egan started the Martyrs' Fund as an incentive to others to do likewise, that is to say, to do the same things which the martyrs had done?—If that is the interpretation, of course that is a very improper thing to do.

61,782. Now, you have said that you had no knowledge of the dynamite policy as anything like a dynamite policy, until the date you named—prior to the Convention of 1883—the Philadelphia Convention of 1883—which you called "the most representative Convention" in your telegram—the great question before that Convention, became known to you, or to those who discussed matters with you, was as to whether or not the dynamite section would not become too pronounced then?—My attention was first directed to the danger arising out of the dynamite movement some time in 1883—I should think some time in the autumn of 1883.

61,783. What I want to know in reference to your answer is this, is it not the fact the question whether or not the dynamite section would be the predominant section in 1883, was the subject of discussion, before the Convention took place—the Philadelphia Convention?—I never heard of that question having been the subject of discussion, and I do not think there was ever the slightest probability of the dynamite section obtaining the upper hand at any of these conventions—not the slightest risk of it.

61,784. Kindly listen to this paragraph in the "Nation" of 1883—April 21st, 1883 (page 8, col. 4):—

" OUR LONDON LETTER.

" The question of the advisability of Mr. Parnell's attending the forthcoming
 " Irish Convention at Chicago, was, as the newspapers state, considered and
 " resolved upon by a meeting of his colleagues a few days ago. The view of the
 " majority was strongly opposed to his so doing. Weighty reasons were adduced

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“ by them in support of their views ; but reasons were also given on the other
 “ side. We must all hope that the best and wisest thing has been done, but if a
 “ newspaper correspondent may express an opinion on so important and
 “ complicated a question, I would say that I had much rather the decision had
 “ gone on the other way. The proceedings of the Convention are being looked
 “ forwarded to with great interest by every one here. It is said that the plain
 “ issue to be determined there is, whether or not the use of physical force of all
 “ kind—dynamite included—may not properly be employed by the Irish people in
 “ their struggle for the liberation of their country from British rule. To take
 “ the affirmation side of the discussion would—putting all other considerations
 “ aside—hardly be a safe thing for any one who would contemplate returning to,
 “ and living in any part of the so-called United Kingdom ; least of all would it be
 “ safe for a member of the British Parliament. On the other hand, it would be
 “ no easy task to argue before an Irish-American audience, that the use of force
 “ by Ireland, or by any other oppressed nation, for the recovery of its liberties,
 “ would be immoral.”

Were you ignorant as to that, when you gave me the answers you did the other day?—I never heard of that article.

61,785. When you found there was a dynamite section, did you at all inquire as to who were the members or supporters of it?—No, I did not suppose it would be possible for me to obtain any information about it.

61,786. You spoke, you know, about your ignorance of the “Irish World.” Do you remember an occasion in which “Transatlantic” was referred to in the House of Commons. I refer to volume 259 of “Hansard,” page 841. Do you remember Sir William Harcourt made a speech on the 11th March 1881. Sir William Harcourt read an extract in his speech of “Transatlantic’s” letter?—No, I only recollect one speech of Sir William Harcourt. I only recollect one passage at that time, in 1881, which was a passage in which he referred to me.

61,787. Now, I will read this to you. Sir William Harcourt says—it is the 11th March (vol. 259, col. 841). You have just interrupted, and said that there was another matter. A little further on he says:—

“ I see a list of the American papers. I have before me a copy of the ‘Irish
 “ ‘World,’ of which the hon. member for the city of Cork knows something,
 “ and through which comes the largest contributions from America to the Irish
 “ Land League. He who pays the piper has a right to call the tune. . . .”

This, I think, is already in. Then it goes on:—

“ As a specimen of the contributions which appear in this paper, I will quote
 “ one which begins ‘I append the report of a scene in the House of 600
 “ ‘scoundrels.’ That is ourselves.”

(Mr. Parnell.) Is not that quotation made from a letter from London? How did you know that had been made from a letter from London?—It is very possible I had heard about “Transatlantic” Mooney having written on the subject.

61,788. I want to ask you this—it is a question of your knowledge. Do I understand you to say that you did not make any investigation into the character and teachings of the “Irish World,” or that you did?—The reference to Mooney I consider to be reference apart from the “Irish World” itself.

61,789. I remind you of the telegram which is already in, in which you thanked the “Irish World” and its readers for their continued and active support?—But I do not accept that telegram as being my telegram ; at least, not the whole of it.

61,790. Be that as it may, I want to know distinctly, did you or not, during the years 1880 or 1881, examine the columns of the “Irish World”?—I cannot say I did at all attentively.

61,791. Do I understand you to say you have no recollection whether you did or did not?—My recollection is, I did not read the “Irish World” attentively or regularly at any time, but I had a general knowledge of its action and conduct by rumour and report and information received from others.

61,792. Speaking of the period to which I have referred, namely, up to the end of 1881, you expressed no public disapproval of its teachings?—Not until I separated myself from Mr. Ford at the time when he had started the dynamite policy.

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61,793. In the end of 1882 or the beginning of 1883?—The beginning of 1883, I think it was.

61,794. I will take that from you; that up to 1883 you had not expressed the slightest dissent?—I think not.

61,795. Now, with reference to the questions which I put to you about your American speeches. I have been reminded that there is one which I have neglected to put to you. I think it is fair, as I must refer to it, that I should read it to you. Have you got the report of your speech at Newhaven in America?—No, I do not think I have; but I will make search and ascertain for you.

61,796. I must just read to you from the report of your speech at Newhaven as reported in the “Irish World” of 14th February 1880 at Newhaven in America. Any part of the speech can go in, but I will read the passage I want to call attention to:—

“The land question in Ireland is bound to unite all creeds, and with the

“Orangeman and the Catholic banded, believe me——”

—I do not acknowledge that—the origin of what?

61,796a. [Reading]

“with the Orangeman and the Catholic banded, believe me that
“the handwriting is on the wall for the downfall of British rule there. And
“when the time comes, I believe it will be the duty of every Irishman to give
“the last drop of his blood to secure that end (continued applause). The Irish
“people are just as ready to fight as they ever were (cheers and applause.) They
“will not engage in a needless struggle, but can bide their time. In the
“meantime you can help me kill the famine; and if you will help us kill the
“famine, we will kill the cause that has brought it on.”

Do you remember making use of these expressions?—No, I do not, that is a report which purports to be a verbatim report of my speech, but it is evidently not a verbatim report of the speech in question; it is dressed to suit the ideas I suppose of Mr. Patrick Ford.

61,797. I have called your attention to it, it is 14 February 1880?—I do not accept Mr. Patrick Ford’s report of my speeches.

61,798. Have you any other contemporary report?—I will look and see.

61,799. You and Ford were very great friends in 1880?—Yes, certainly.

61,800. Do I understand you to say, or what do you suggest, in 1880, should lead Patrick Ford to misrepresent what you were saying?—He always did. He always exaggerated my views.

61,801. Did you ever in your life prior to 1883, at any rate, complain of Mr. Ford’s misrepresenting what you said?—No, because I do not suppose that these matters ever came under my attention until lately.

61,802. But you have told me a few minutes ago that this was a misrepresentation of your speech?—Certainly, but I do not suppose I ever saw it. I had something else to do but read the “Irish World” when I was in America.

61,803. Do you deliberately charge Mr. Ford with having inserted in his paper a garbled or incorrect account of what you stated?—Certainly.

61,804. Intentionally?—I charge him with endeavouring to persuade the Irish people by the reports that he published that my views were more advanced than they really were.

61,805. I wish to keep you to the point. Do I understand you to charge Mr. Ford with publishing in his paper intentional and incorrect reports of what you said?—I have stated my belief as to the nature and tendency of the report that Mr. Ford published in his paper of my speeches.

61,806. I want particularly to understand what you mean. I am not talking about the tendency, or of exaggerated reports. But do you mean deliberately to charge Mr. Ford with having published from week to week reports of your speeches which were false and untrue?—Well, I should not like to go as far as that. I consider that the reports in the “Irish World” which Mr. Ford published of several of my speeches while I was in America, were misleading, and intended to make the Irish people of America believe that I was going further, or intended to go further, than I did intend.

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61,807. Do you mean to say that matter was inserted which you never said?—The reports were of a very short and pat description, purporting to be verbatim, but not verbatim.

61,808. You shall look at the report of the speech of 14 February 1880, which is in the "Irish World." Now, just observe Mr. Ford's paper was reporting your speech when certainly large sums of money were being collected in America?—Yes.

61,809. For the Irish nation?—Yes.

61,810. For which you were responsible?—Yes.

61,811. Do you say that at that time or subsequently, Mr. Ford was inserting in your speeches words which he must have known, or his reporter must have known, that you had never uttered?—Yes; he was twisting my speeches, and probably doing it designedly.

61,812. And getting money thereby?—I do not know whether he was actually collecting money for us at that time, but he was shortly afterwards.

61,813. Do you mean that you do not know he was getting money during the whole of 1880 and 1881 for you?—I know he was getting money after I left America, and probably was to a certain extent getting money while I was in America. I am quite clear about that.

61,814. I come to the 5th February 1881. I will give you the telegram; it is to the readers of the "Irish World":—

"Thanks to the 'Irish World,' and its readers for their constant co-operation and substantial support in our great cause. Let them have no fear of its ultimate success——"

But there is more; you have only put in the part which suits yourself. It is a long cable.

61,815. I have read the whole. We will put the telegram in. We will get the book. The telegram is 5th February 1881. Can you tell me what you did send?—If you will show me the cable I will say if it is genuine, and if it is not all genuine, I will point out the genuine words.

61,816. You had better read it through yourself, and say what is genuine—read it aloud?—There may be none of it genuine.

61,817. What there is you can qualify, but as a matter of fact, was it not sent by letter [*The volume of the "Irish World" was handed to the witness*]?—I see a long cable here.

61,818. Was not that sent by letter?—I should think not.

61,819. Will you undertake to say it was not?—I should think not.

61,820. Will you undertake to say it was not?—I have no recollection of having written such a letter.

61,821. I am perfectly aware of this having been called a cable on several occasions. Will you undertake to say it was not sent in writing?—I have no recollection of ever having written a letter of this character to Patrick Ford in my life.

61,822. Will you undertake to say that was not sent in writing?—I will not undertake to say, but it is my strong belief that I never sent either the letter or the cable.

61,823. What date is it?—January 26th, 1881.

61,824. What date is it published?—It was published on February 5th, but they, I believe, antedated or postponed the date of their publication; they publish there before the date.

61,825. Will you undertake to swear that communication was not made in writing to Mr. Ford?—I should think that the Convention produced a short cable that I sent him with some of these matters, but in very different language.

61,826. Will you undertake to say that that was not a communication in writing?—I do not see how it could possibly have been a communication in writing to him for him to publish it; the date forbids the possibility of such a supposition—the date of the 26th January.

61,827. To?—To February 5th—no letter could have got out in time.

61,828. That is your statement?—No letter could have got out to be published in the time, having regard to the fact that the "Irish World" always published some days before. For instance, this paper of February 5th would have been published on the 3rd or the 2nd.

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61,829. You seem to have considerable knowledge as to the "Irish World"?—That is a practice with a considerable number of American Newspapers.

61,830. Do you say it is the practice of the "Irish World"?—I believe so, it is also a practice of many weekly newspapers.

61,831. Did you send a copy of that to anybody else besides?—I cannot recollect any of this as my language.

61,832. I will give you full opportunity, in a moment, of answering that question. Just listen. Did you, or not, send a copy contemporaneously to anybody besides Mr. Ford?—To the best of my belief I did not.

61,833. Did you not send a copy to Mr. Collins?—To the best of my belief I did not.

61,834. Will you undertake to say you did not?—I cannot; there may have been a copy, but I have no recollection.

61,835. Look it down to see the passage which is not in accordance with your views?—Well, I cannot recognise any of that as like anything I would have said in the style of its diction. It may have been sent by somebody in my name.

61,836. Never mind the style of its diction; tell me what you want to repudiate in that?—The language I repudiate.

61,837. Take it sentence by sentence, and say what you object to in it. I object to the "violent and indecent charge made against Judge Fitzgerald." I had better read the whole cable to your Lordships. "The Land League scores a victory."

61,838. Read it, by all means, and kindly stop sentence by sentence and say what you repudiate in it?—What I object to, then, is the distinct and indecent charge made by Judge Fitzgerald.

"The ten to two disagreement of the jury in face of the tremendous pressure of the Court is everywhere accepted as having the force of an acquittal, and is a virtual protest against the Government's proposed coercion bills. Of the violent and indecent charge made by Judge Fitzgerald I shall say nothing."

I should have objected to that paragraph.

"The publication of the charge is its condemnation. The Irish party are doing their work well. I am entirely satisfied with them. The debate on the Address to the Queen, which was prolonged for a fortnight, proved their endurance and fidelity. No other debate in Parliament has ever before lasted more than four or five days. Gladstone's ministry, in which the aristocratic element has gained the ascendant, are exasperated at the firmness shown by us. They had hoped to exhaust our strength long since, but fertility of resource has paralysed them, and up to the present has prevented the passage of the Coercion Bill. The principal provisions of the Coercion Bill, so roughly thrown out, are the abolition of trial by jury, and the substitution in its stead of trial by two judges."

I think it is unlikely I should have said that, because these are not the provisions of the Coercion Bill.

61,839. Is there anything you object to?—I have not come to anything I object to so far, except what I mentioned before.

"The character of Irish judges renders such a tribunal utterly untrustworthy. Most of those Irish judges are also members of the Secret Privy Council, and therefore creatures of the Government."

I think the paragraph should have been more elaborated. What I objected to was the political character of the Irish judges and to their office, and the circumstance under which they receive their appointment, and I object to—

61,840. That it ought to be longer?—Ycs.

"Although arrests continue, the Irish people remain undaunted and unintimidated. Their perfect discipline is worthy of all admiration. Money flows into the Land League, which the people now regard as their sole resource. The landlords who find themselves vanquished, at the bar of Christendom, now grasp at the forlorn hope that coercion will cripple the power of the Land League; and they give out in affected bravery that when it is passed they will shower those eviction notices down upon the hapless tenants which the Land League has

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“ hitherto staved off. But, thanks to our American countrymen, the Land League
 “ has such reserve sources that, in spite of temporary coercive laws, there is no
 “ fear of the future. The Government hope by pouring in troops, and by their
 “ arbitrary conduct in Ireland, so to exasperate the people as to provoke rebellion,
 “ and then to shoot down by the thousands the unarmed people. These manoeuvres
 “ we also hope to checkmate.”

I think that is an exaggerated statement, My Lords.

“ As we stand at present, passive resistance to unjust laws is the stronger
 “ weapon in our hands. Thanks to the ‘Irish World’ and its readers for their
 “ constant and substantial support in our great cause. Let them have no fear of
 “ its ultimate success.

“ CHARLES STEWART PARNELL.”

61,841. Now I ask you to read it through—which is the paragraph you repudiate as containing something you did not say or the substance of which you communicated?—I doubt very much if I wrote that cablegram at all—it is not in my style at all, and I believe it was not written by me, but I see nothing particularly objectionable in the cable except what I have pointed out.

61,842. When was your attention first called to it?—My attention was first called as well as I recollect to the last paragraph of the cable, and only the last paragraph of the cable, by either Mr. Forster or Sir William Harcourt, I forget which, in my speech, that is my impression. He quoted it at one time to show we were in communication with Mr. Ford.

61,843. Let me call your attention to page 3376—it is the 12th March 1881, from Egan to the readers of the “Irish World”?—Would that be the date in the “Irish World”—1881 or 1883?

61,844. 1881.

“ Let the readers of the ‘Irish World’ and all the friends of the Land
 “ League accept our warmest thanks for the noble work they are so bravely
 “ doing.”

The next is an extract from a cablegram from Thomas Brennan of the 19th March :—

“ The moral and financial aid which is constantly coming from our brothers
 “ in America through the ‘Irish World’ and other channels cheers us in our
 “ work.”

“ 12 February from Thomas Brennan. The thousand pounds (1,000l.)
 “ cabled this week by the ‘Irish World’ is received. Its announcement was
 “ received with applause. The substantial aid and continued encouragement
 “ which we are receiving from our kindred and the friends of humanity in
 “ America are inspiring our people very much, and in the name of the Land
 “ League I beg to tender to the readers of the ‘Irish World,’ and to all co-operators
 “ its sincere and most grateful acknowledgement.”

Now, in the face of these statements, have you ever, until to-day, suggested that Mr. Ford was inserting paragraphs in your speeches and attributing to you words which were never uttered?—No, I think it is very possible my attention had never been drawn to the fact that Mr. Ford had twisted my speeches in America until these proceedings.

61,845. Until to-day?—I will not say to-day, but until these proceedings.

61,846. Will you undertake to say that you have ever made that statement publicly until to-day? I undertake to say my attention has never been drawn to these matters prominently until these proceedings commenced.

61,847. I put it to you, sir; your attention was called, as you said, a little time ago to it by Mr. Forster’s speech already in. Will you undertake to say you ever have alleged Mr. Ford put into your mouth words you have never used until to-day?—I thought it was possible at that time I had telegraphed some cable of thanks to the “Irish World” when Mr. Forster or Sir William Harcourt quoted the paragraph in question; but it was not until I saw the whole of the cable, that is later, that I came to the conclusion that Mr. Ford had inserted that which I had not written.

61,848. Be good enough to answer my question. Have you ever until to-day suggested that Mr. Ford inserted in your speeches in America words that you never

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uttered?—I have frequently suggested it in private when I came to see that he had done so.

61,849. I must repeat my question to you. Have you ever made that statement publically until to-day?—No, it was not necessary—matters had gone by for a good many years—10 years or so, and it was not necessary for me to go back.

61,850. Now look at the 14th February 1880?—I have got it.

61,851. Look at the report of your speech there. It is page 6, column 3?—In the city of Elms.

61,852. Yes, I believe it is the same as Newhaven?—Yes, I have got it.

61,853. Now look at the last paragraph of that. It is a very long report, it is about a column and a half—rather more?—No, it is not, it is not more than a quarter of a column.

61,854. I think you are judging by the breaks?—No, I should think it is about a quarter of a column.

61,855. Hand it back to me, I think you are mistaken, but I will show you what I mean?—Perhaps the third of a column—it is not a full report at all.

61,856. Now I call your attention if you please to this. I want you to understand distinctly. Do you allege that you never altered those words at the end of that speech?—I will just have a look at them.

61,857. Perhaps you would also read them from the article?—

“The land question in Ireland is bound to unite all creeds, and with the
“Orangemen and the Catholic banded, believe me that the handwriting is on the
“wall for the downfall of British rule in Ireland, and when the time comes, I
“believe it will be the duty of every Irishman to give the last drop of his blood
“to secure that end. The Irish people are just as ready to fight as they ever
“were. They will not engage in a needless struggle, but can bide their time.
“In the meantime, you can help us kill the famine, and if you will help us kill
“the famine, we will kill the cause that has brought it on.”

That report, my Lord, is clearly what the local reporter in the town wished to represent to the readers of the “Irish World” as my views, so delivered; but it is not a correct report—it entirely misrepresents them.

61,858. Will you undertake to say you did not utter those words?—Undoubtedly, and I will try and get you the original report of them.

61,859. You brought home some report?—I may have. If I have it, you shall have it.

61,860. Assuming that this represents what you said, do you suggest that is in favour of constitutional action?—Certainly not. My speech delivered there, or anywhere else, would have filled a column and a half of the “Irish World,” and it only occupies a third of a column here.

61,861. Now, will you turn over; to what report you refer us as being a fair report of your speech?—If I have the original report with me I will tell you. I do not carry them in my head.

61,862. What papers—you know the names of the papers?—I do not know the names of all these local papers. There were several local papers. I do not recollect them at all.

61,863. Turn over to the front of that paper. I think that issue has a picture of you delivering your address in Congress. Do you see that?—I have seen this.

61,864. Before?—Yes.

61,865. Did you bring that home with you?—I should think not.

61,866. Are you sure?—I may almost say so. I have no recollection.

61,867. I think you will find a statement there that refers to O’Meagher Condon. I think it is by your thumb in the right hand corner?—In that year:—

“I feel it due to add”——

This is the correspondent of the paper—

“I feel it due to add that the complete success of the whole reception is
“largely due to Colonel R. O’S. Burke and Captain C. O’Meagher Condon, who
“have been tireless in their exertions, and, as usual, utterly regardless of self in
“their efforts to perfect the arrangements which were so successfully carried out.”

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61,868. Now, Mr. Parnell, I must ask you a question about an answer which you have given me this morning. What I want to understand is this. Do you now say that there were in Ireland in the year 1879 secret societies causing outrages or not?—Yes, I believe that there were.

61,869. Did you at the time that you spoke of, believe that there were?—Certainly.

61,870. You said you had received reports last Friday from people respecting them?—Yes.

61,871. From whom?—Mr. Davitt had spoken to me.

61,872. Who else?—I cannot recollect—Mr. Matthew Harris. Mr. Davitt had told me that outrages were being caused by the secret societies, and Mr. Matthew Harris had told me about the breaking up and the disintegration of the Ribbon Societies.

61,873. Mr. Matthew Harris and Mr. Davitt. From what part of the country had they told you that the societies had existed?—Mr. Harris did not tell me anything about the existence of the societies. He told me about the disintegration of the Ribbon Societies, and Mr. Davitt had told me that the societies were committing outrages, and ruining the prospects of the Land League.

61,874. I must ask you to keep your mind on my question. Did anybody else besides Mr. Davitt tell you of the existence of secret societies?—I do not think so.

61,875. Are you quite sure?—That is my recollection, that is the statement. That is my impression.

61,876. What part of Ireland?—The west of Ireland—Mayo, and these distressed counties.

61,877. I must ask you to be a little more precise. It is a very important matter. In what part of Ireland did they tell you they existed?—He was speaking generally of the west of Ireland at that time as well as I can recollect.

61,878. When you spoke on the 7th of January 1881, had you that report in your mind?—Yes. I was speaking at that time under the influence of the information that Mr. Matthew Harris had given me about the breaking up and crumbling away of the Ribbon Societies, which he told me he had taken a part in.

61,879. I am referring to Mr. Davitt's statement to you. Had you in your mind or not the report that there were secret societies which had caused crime in the west of Ireland?—No; I do not think I had at the time I made that speech. You will find, if you take the whole speech, and take it in connexion with that paragraph, that the scheme of that speech was the strength of the secret societies at the time I was speaking—as to their existence in past times, such as between 1883 and 1869.

61,880. I am not going into an argument of your general belief, but I am going to keep you to this specific speech. The whole speech shall go in, if you like.

“ But the choice before us is this, whether you will have an open organisation, which has undoubtedly committed some mistakes.”

Please give me your attention?—I am looking for a report that I have.

61,881.

“ Whose action in some respects is open to blame and criticism. I do not wish to deny for a moment this action is being very fast modified by experience and by advice in such a way as to make it exceptional—whether you will have such an open organisation or whether you will have a secret conspiracy.”

—Yes.

61,882. Had you or not in your mind, when you made that statement, Mr. Davitt's report that there were secret conspiracies in the west of Ireland?—No; I was not alluding to that information of Mr. Davitt's at that time.

61,883. I did not say you were alluding to it?—Nor did I have it in my mind. What I had in my mind was the possibility of the revival of the great Ribbon conspiracy, such as that which for some time existed in some parts of Ireland in 1869, if the open agitation of the Land League were suppressed.

61,884. Just listen, if you please; “ secret conspiracies do not now exist in Ireland.” You remember that passage which I read to you the other day?—Yes, I have looked at it since.

61,885. Was it true or not?—It was true with regard to the Ribbon Society, with reference to which the statement was made.

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61,886. I call your attention to the paragraph "secret conspiracies do not now exist in Ireland?"—I do not think you can take that passage by itself; you must take the whole passage.

61,887. Do I understand you that you believe, that apart from Ribbonism, there were secret societies or not?—Undoubtedly. Mr. Davitt had given me information to make me suppose that outrages were being committed by the lower classes of the physical force men throughout the country, and by the relics of the Ribbon Society.

61,888. Did you believe it?—I did believe it, certainly.

61,889. Believing that, you there said, "secret conspiracies do not now exist in Ireland?"—Yes.

61,890. Did you caution the authorities as to the existence of the secret societies?—I did not. I assumed that the authorities knew a great deal more about them than I did.

61,891. I understand you were anxious that crime should be put down?—Undoubtedly; I should have made a very strong attempt indeed to put down crime, and we had commenced to make a very strong attempt to put down crime upon Mr. Davitt's return from America; but my difficulties were materially increased by the passage of this Coercion Act. It is very difficult to temper men's minds and restrain their actions when they are united or frenzied with such acts as were passed in that Session.

61,892-3. You go on—"I used to hear of the secret conspiracy of Ribbonism, a most powerful organisation which, I have been informed had its quarters in Manchester, but if you crush down the people with coercion, the result must be that you will have Ribbonism and kindred societies for the purpose of doing that by secret conspiracy, which you prevent them from doing by open organisation?" Did not you mean that to represent to the House that if they had passed the Coercion Act, secret societies would spring up?—That there would be great danger of a gigantic secret organisation taking the place of the Land League.

61,894. Did not you mean that secret societies would then grow up which did not then exist?—Undoubtedly, and upon a very much more extensive scale; that statement of course was a comparative statement.

61,895. Now I wish to put this to you. The increase of crime, you are aware, was of an agrarian nature—the large increase?—Yes.

61,896. The secret societies whatever they were doing, among other doings were threatening the land grabbers?—Yes, they were, I suppose.

61,897. Were intimidating persons who paid their rent?—Yes, I suppose so, visiting them at night, and so forth.

61,898. Were intimidating persons who had taken evicted farms?—Yes.

61,899. Were in fact intimidating persons for breaking the laws of the League?—They were intimidating persons for doing those things which we had advised the people not to do, unquestionably.

61,900. They were intimidating persons from doing those things against which the League preached?—Undoubtedly.

61,901. I want to understand this. If you were so anxious that they should not go on intimidating—I understand it was in the west of Ireland in which these secret societies were?—That was the general information I received.

61,902. Why did you not communicate with the Land League leaders in the west of Ireland to detect these people?—I have already told you it is impossible to get the Irish people cordially to concur in the detection of agrarian or political crime, until the Irish people are satisfied that the law is fairly and justly administered to all classes.

61,903. Why did you not warn the Land League people against these secret societies?—Well, the warnings were given in shoals at all the Land League meetings; they had been given by the men who were most justly entitled to preach to the people against them from a social point of view. There was no meeting at which I attended where warnings against secret societies and against crime were not given by the chairman and by other speakers.

61,904. Will you point to one single warning against secret societies reported in any paper prior to 1881?—Will you give me that last list that has been made out. If

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Mr. Lewis will give me the last list that has been made out of denunciations of crime.

61,905. I am not asking about denunciations of crime ; I am upon secret societies ?—I am going to show them to you.

61,906. As distinguished from general crime, will you point to one single speech in which the existence of secret societies has been denounced prior to 1881. I am asking you to give me that?—I can find you many such speeches.

61,907. (*Sir C. Russell.*) Is that what you ask for, Mr. Parnell (*handing a paper to the witness*)?—Yes.

61,908. (*The Attorney-General.*) Do not put it upon me with reference to the denouncing of crime and general denunciation. I have only specified that upon which you have given evidence to-day—the existence of secret societies?—My Lords, it will only occupy the time of the Court while I am looking through them. I think it would be better if I were to look through the documents which I have got to-night, and bring the passages for your Lordships to-morrow.

61,909. (*The Attorney-General.*) I will only put this to you. Will you undertake to say that you in any reported speech have ever denounced secret societies?—I have already stated I cannot call to mind that I did myself personally.

61,910. Will you undertake to say, and if so, give me the name of the person that any person in your hearing has denounced secret societies?—I will give them to you. I cannot tell you off-hand. It is utterly impossible for me to keep all the names in my head.

61,911. You remember meeting allies and speakers. Can you tell me any of them who have ever denounced secret societies as such?

61,912. (*The President.*) Mr. Parnell says he will refer to them?—I have attended at many hundred meetings. I cannot recollect all these matters.

61,913. (*The Attorney-General.*) I want to ask you this in case you should wish to correct it. You stated that you went over in 1877 to America on purely private business. Is that so?—Yes, that is so ; that was the object of my visit.

61,914. Did you not take over an address to the President?—No, I did not.

61,915. With Mr. O'Connor Power?—Mr. O'Connor Power came over with the address afterwards and asked me to join him in presenting it.

61,916. Were not you deputed at a meeting to take it over?—I do not think so. I think it was done after I had left. When they saw I had left they decided to take advantage of the fact that I had gone to ask me to assist Mr. O'Connor Power to present that address.

61,917. Mr. O'Connor Power was at that time a Fenian, in 1877?—I should think at that time he had not been turned out of the organisation—had not been expelled.

61,918. Mr. O'Connor Power at that time was a Fenian, was he not?—I am inclined to think at that time he had been expelled from the organisation.

61,919. Do you represent that?—I am inclined to think that is so. I had of course in those earlier days not the same information on these points that I have now. The only person I knew about specially was Mr. Biggar, he told me about himself, but he did not tell me about anybody else.

61,920. You are aware of the expression that constantly occurs in the speeches we have put in about "Traitor to the cause"?—I think so.

61,921. Do you consider that a person who had joined your movement and continued an active member of the Clan-na-Gael after joining it, to be a traitor to the cause?—Yes. I consider that a person who had joined my movement, after having represented to me, or given me to understand, or left me under the impression that he was not actually connected with any secret movement, and who subsequently joined the revolutionary or illegal movement, would have acted in a way that I could not have countenanced.

61,922. I must ask you for an answer to my question ; you add a qualification ; I am entitled to an answer. Do you consider that a member of the Clan-na-Gael who joined your Land League, or your movement, and continued an active member of the Clan-na-Gael after so joining it, is a traitor to your cause?—I do not think I should have used such strong language as that of anybody. It is not an expression I should use about anybody as far as I know, no matter what they did.

61,923. Would you say that they would have acted disloyally to you?—I should have said that they were acting in a way injurious to the movement.

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61,924. Acting with disloyalty to you?—Acting in a way injurious to the movement.

61,925. But will you assent or dissent? Do I understand you to say that that person would be acting in a way disloyally to you?—I would not say disloyally, but acting in a way injurious to our movement.

61,926. Do I understand you to say that anybody who joined your movement and continued an active supporter of the dynamite policy after that, would be a traitor to your cause?—I should think so, certainly.

61,927. Undoubtedly?—Undoubtedly.

61,928. And disloyal to your movement?—Undoubtedly, having regard to the fact that it is an expression I do not use, and have never used about anybody.

61,929. Mr. Parnell, you told me the other day that you were aware in the beginning of 1883 of the extremely violent speeches made by Mr. Finnerty?—I cannot give you any exact date when I became aware of Mr. Finnerty's violent speeches. I became aware of Mr. Ford's change of front, but as regards Mr. Finnerty I should not like to give you the exact date.

61,930. I have your evidence about the exact date, but it is not upon this I am cross-examining now, but what I desire now to ask you is, are you or not acquainted with the passages which from time to time have occurred in "United Ireland"?—I have no doubt I have seen many passages and read many articles in "United Ireland" from time to time.

61,931. I do not want to put them to you, because many will have to be put upon other occasions, and some have already been put, but I put this to you, and call your attention to "United Ireland" of the 11th of October 1884, that is to say, nearly two years after the date you referred to on the last occasion. It is page 5 of "United Ireland" of the 11th of October 1884:—

"We have not seen any collection of representative Irish Americans since the gallant fellows who came to offer their swords to Ireland in 1866–67, and neither the undrilled and defenceless levies which gathered to their call on the raw night of the rising, nor the miserable round of prison ignominies with which their dreams of the clash of the battle ended can have impressed them pleasantly with the hospitalities of Ireland. We can all remember with what a passion of almost delirious delight the French Deputation of 1871 were acclaimed throughout this island; except our excellent countryman, Mr. P. J. Leonard, they were personally unknown, and they were madly welcomed simply because their visit was interpreted as a recognition of ancient bonds of affection between France and Ireland, or of traditional enmity to England. Irish America, on the contrary, is bone of our bone. It is not merely allied to us by sentimental memories, but it is our strong right arm in the living conflict that rages around us, prodigal of her treasures, and just as ready with her blood, and there are Irish American leaders whose names are as familiar in Irish homes as those of Mr. Sexton and Mr. Healy can be across the American continent. The want of a dozen Irish Americans of the stamp of Alexander Sullivan, P. A. Collins, John Finnerty, and John Boyle O'Reilly, (even John Devoy would probably pass the Queenstown detectives unchallenged) would appeal to popular imagination more powerful than the visit of ceremony of the French nobles, and would be attended with unquestionably more enduring advantages to the Irish cause."

Now, I ask you, Mr. Parnell, do you admit or deny that at that time, namely, October 1884, Alexander Sullivan and John Finnerty had been constantly advocating dynamite in the American papers?—I do not admit it as regards Alexander Sullivan; I admit it as regards Finnerty.

(*The Attorney-General.*) That is all I have to ask you, Mr. Parnell.

My Lords, Mr. Atkinson was going to put in for Mr. Asquith a list of money payments.

(*Sir C. Russell.*) Will you give me a copy of it.

(*Mr. Parnell.*) Does your Lordship wish me to hand in the blocks of the accounts of 1882?

61,932. (*The President.*) Yes, have the kindness to do that. I do not know that you need hand them in at this moment, because probably you will have to add some others to them?—Those are all I have got, my Lord [*handing same in*].

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61,933. (*The Attorney-General.*) Are those all you possess?—They are all I have or ever have had in my possession.

61,934. (*The Attorney-General.*) I apologise to your Lordship; there is a matter which has escaped my attention. When did you first see those minutes of the National League. At present we have not seen them; but I wish to refer to them with reference to Byrne's application for the hundred cheques; when did you first see them?—I saw those first two or three months subsequently to the discovery of the letter; at least, I heard about them.

61,935. Up to the present time, when did you first see those minutes?—Some time subsequently to the discovery of the Frank Byrne's letter to me, which was discovered about the time that this Commission was being appointed.

61,936. Well, I particularly wish to know when did you first see them?—I have never seen the minutes themselves.

61,937. You have never seen them at all?—No, I have heard of them.

61,938. I ought perhaps to have put one question to you. I was reminded by noticing that note about the Byrne minutes. Do I understand you to say that you have no recollection of an interview with Mr. Le Caron at all?—No, I have no recollection either of his name or his appearance. I have a recollection of interviews had about that period with American gentlemen.

61,939. What I put to you is that for a period of from 40 minutes to an hour you were walking up and down with him in the lobby, which you know very well, parallel with the library, that is to say, from the turning to the dining room to the one that goes down to where you get the orders for the Speaker's tickets?—I think he represents the interview to have taken place in the corridor opposite the ladies' gallery, and leading to the ladies' gallery opposite the ministers' rooms, which was a very unlikely place for the interview to have taken place.

61,940. I am putting a specific matter. I am putting to you the corridor from the main entrance to the library, that is to say, the western entrance down to the Speaker's office, and possibly turning up towards the ladies' gallery?—That is not his representation.

61,941. Forgive me, I am not arguing with you, if you please. I do not agree with you in your recollection, but that does not matter. Will you undertake to say that you did not for from 40 minutes to an hour remain in conversation with him in one or other of those lobbies?—I will not undertake to say that, but I should think it is most improbable and unlikely.

61,942. Have you asked Mr. O'Kelly about it?—I have.

(*The Attorney-General.*) When we were going to call attention to parts of the extracts with reference to contributions through the "Irish World" it was quite properly objected to by Mr. Asquith, and he desired to have the original papers produced. Copying them in each case would be copying a whole column of matter which would not be important. The thing will be to produce each entry, then your Lordship will see the character of them.

(*Sir C. Russell.*) If you will give me the dates of them I will take them. What is the first date?

(*Mr. Atkinson.*) The 3rd of October 1885, at page eight, column seven. There is a statement of the contributions of different branches of the League and signed "Charles O'Reilly, Treasurer." The heading is "Irish National League Fund; Treasurer's Office." The next is from the 31st October, page eight, column seven. It is headed "The Parliamentary Fund; Treasurer's Office." Then there is a statement of the different sums received. The next is the 21st November 1885, page six, column three. The next is headed "Parliamentary Fund; Treasurer's Office."

"The following contributions to the Irish Parliamentary Fund have been received by the Treasurer since the report of October 24th, which showed, after deducting 3,000*l.* sterling remitted to Charles Stewart Parnell, the following balances on hand."

Then it gives a number of balances, and then it is signed "Charles O'Reilly, Treasurer." The next is the 5th of December 1885, page eight, column seven. It is headed "Aid for Ireland; further contributions for the Parliamentary Fund; Treasurer's Office," and states:—

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CHARLES STEWART PARNELL.

[Continued.]

“The following contributions to the Irish Parliamentary Fund have been received at the treasury since the report of November 26th, which showed, after deducting 3,000*l.* sterling transmitted to Charles Stewart Parnell, the following balances.”

Then there is a list of balances, and it is signed “Charles O’Reilly, treasurer.” The next extract is from the “Irish World” of the 19th December 1885, page eight, column seven.

“IRISH NATIONAL LEAGUE FUND.

“Treasurer’s Office, Detroit, Mich.,
“Dec. 5, 1885.

“Editor, ‘Irish World.’

“The following contributions to the Irish Parliamentary Fund have been received at the treasury since the report of Nov. 21, which showed, after deducting 8,000*l.* sterling transmitted to Chas. Stewart Parnell the following :—

“ Washington D.C. Clan-na-Gael Association	- - - - -	\$43.26
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CHAS. O’REILLY, TREASURER.

The next, my Lord, is from the “Irish World” of 26 December 1885, page 10, column seven.

“LETTER FROM FATHER O’REILLY.

“Treasurer’s Office, Irish National League
of America, Detroit, Michigan,
December 16, 1885.

“Editor, ‘Irish World.’—Your valued letter of the 15th inst. is at hand with check of Patrick Ford for \$84, and the amount has been duly credited to the Parliamentary Fund; from ‘Irish World’ subscribers, \$34, and Division 2 A.O.H. Society, Pueblo, Colo., \$50.”

Then, my Lords, there is a further addition—

“The following sums have been received by the ‘Irish World’ for the Parliamentary Fund of the National League and have been forwarded to the National League treasurer the Rev. Dr. O’Reilly, Detroit, Michigan.”

Then the numbers are given.

(*Sir C. Russell.*) What is the date of that?

(*Mr. Atkinson.*) 26 December 1885.

The next is from the “Irish World,” of 23 January 1886, page 8, column 5 :—

“THE PARLIAMENTARY FUND.

“LETTER FROM FATHER O’REILLY.

“Treasurer’s Office, I.N.L.A., Detroit,
“Mich., Jan. 15 1886.

“Patrick Ford, Editor ‘Irish World.’—Dear Sir,—Your welcome letter of the 13th inst. is at hand, with enclosures amounting to \$89, which I have placed in the Parliamentary Fund, divided as follows :—

“ From A.O.H., Augusta, Georgia	\$	51
“ From subscribers of the ‘Irish World’		38
		<u>\$89</u>

“Herewith I return you list of contributors, desiring the same to be published. With assurances of best thanks,

“I remain, very faithfully yours,

“CHAS. O’REILLY, Tres., I.N.L.A.”

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CHARLES STEWART PARNELL.

[Continued.

The next is from the “ Irish World ” of 13 February 1886, page 8, column 7 :—

“ THE PARLIAMENTARY FUND.

“ THOUSANDS OF DOLLARS STILL POURING IN FROM IRISH
“ AMERICANS.

“ Treasurer’s Office, Detroit, Mich.,
“ Jan. 23, 1886.

“ The following contributions to the Irish Parliamentary Fund have been
“ received at the treasury since the report of December 19. Up to that date
“ transmissions to Charles Stewart Parnell were 2,000*l.* sterling in March, and
“ and 15,000*l.* sterling additional since Oct. 1, 1885, leaving the following balance
“ on hand, \$1,546,77 :—

“ Subscribers, ‘ Irish World,’ per Patk. Ford	\$ 38.00
“ Total	21,299.11
“ Transmitted to Hon. C. S. Parnell	14,702.50
“ Amount on hand	<u>\$6,596,61</u>

REV. CHAS. O’REILLY, Tres.”

The next is from the “ Irish World ” of the 13th February 1886, page 8, column 7 :—

“ NEW YORK PARLIAMENTARY FUND ASSOCIATION.

“ FROM TERRACE, UTAH.

“ Editor ‘ Irish World.’—Please find enclosed bank-cheque for \$20, which you
“ will please hand the treasurer of the Parliamentary Fund. Contributed by :—

“ Yours truly,
“ J. CARROLL.”

“ Irish World,” 20th February 1886, page 8, column 7 :—

“ THE PARLIAMENTARY FUND.

“ Subscriptions received by the ‘ Irish World ’ and forwarded to the Rev.
“ Tres., Dr. O’Reilly :—

“ A.O.H., Div. 1, Schenectady, New York, per John Donnelly, Tres.	\$ 50
“ Total	<u>\$141.00”</u>

The next is from the “ Irish World ” of 27th February 1886, page 8, column 7 :—

“ THE PARLIAMENTARY FUND.

“ A.O.H. OF MINNESOTA FOR IRELAND’S HOME RULE.

“ Duluth, Minn.—Editor ‘ Irish World ’ :—

“ Please find bank-cheque for \$73, which you will please hand the Treasurer
“ of the Parliamentary Fund, contributed by the following members of Div. 1,
“ A.O.H. of St. Louis County, Minn.

“ Yours truly,
“ M. CARROLL.”

(The Attorney-General.) Do you wish them all read ?
(Sir C. Russell.) I did not want any of them read. I said so.

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CHARLES STEWART PARNELL.

[Continued.]

[The following extracts were put in.]

“Irish World,” February 27, 1886 (page 8, col 7):—

“THE PARLIAMENTARY FUND.

“TIME FOR A FAIR SETTLEMENT.

“LAWRENCE, MASS., editor ‘Irish World’ :—Enclosed find \$13·50 for Parliamentary Fund by a few friends of the cause.

“PADRING.”

“Irish World,” February 26, 1886 (page 8, col. 7):—

“THE PARLIAMENTARY FUND.

“FROM CITIZENS OF OGDEN, UTAH OGDEN, UTAH :—Editor ‘Irish World’ :—Enclosed find \$50·75 to augment the funds now being raised for the Irish cause over all the world. This is the first money raised here for Ireland, but we hope that the name of our city will appear in the future when efforts are being made for Irish liberty. Please place to the credit of the Irish Parliamentary Fund.

“Trusting that we will ever be able to give our moral and financial aid to a cause so dear to us, we remain respectfully,

“DON MAGUIRE.

“M. GUHEEN.”

“Irish World,” 27th February, 1886 (page 8):—

“THE PARLIAMENTARY FUND.

“Treasurer’s Office, Irish National League of America, Detroit, Mich.. February 15, 1886.

“Patrick Ford, Esq., Editor ‘Irish World.’

“My dear Sir—Your welcome letter of the 12th inst., bearing check for \$141, is at hand, and the amount has been duly placed in the Parliamentary Fund as contributions received from—

“Subscribers of the ‘Irish World’	-	-	\$ 91.00
“Div. 1. A. O. H. Schenectady, N.Y.	-	-	50.00
			<u>141.00</u>

“Herewith please find list of subscribers returned for publication, [list was published in the ‘Irish World’ last week.—Ed. I. W.], and I hope when giving space to the same you will convey my personal thanks to contributors.

“CHARLES O’REILLY, Treas. I.N.L. of A.”

“AN ‘OLD CITIZEN’S’ HOPE.

“Springfield, Ill.—Editor ‘Irish World.’—Enclosed find \$5. One is for Parnell & Co., and two as a reserve for a certain gentleman of a more persuasive tone (*thiggin thu*?) in case John Bull fails to render simple and long-delayed justice, and I assure you I have not much hope that he will. It is not in the nature of the beast.

“Friend Ford, I am getting to be a pretty old citizen by this time, yet I think I shall live to see Ireland doing business for herself freely and independently.

“Yours,

“WILLIAM FIELDING.”

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CHARLES STEWART PARNELL.

[Continued.]

“ Irish World,” March 6, 1881 (page 8, col. 6):—

“ THE PARLIAMENTARY FUND.

“ Received by the ‘ Irish World ’ since last remittance to the Rev. Treas.,
 “ Dr. O’Reilly—
 “ A.O.H. Div. 1, Duluth, Minnesota, per M. Carroll - - \$73.00.”

“ Irish World,” March 20, 1886 (page 8, col. 7):—

“ THE PARLIAMENTARY FUND.

“ TO CONTINUE THE STRUGGLE FOR IRELAND’S FREEDOM.

“ Missoula, Mont. Ter.—Editor ‘ Irish World.’—Herewith find one hundred
 “ and thirteen (\$113) dollars for the purpose of aiding the Parnell or Irish
 “ Parliamentary party in Ireland to continue the struggle for the freedom of the
 “ Irish people. The amount has been subscribed as follows:—

“ Very truly yours,
 “ THOS. J. McNAMARA.”

“ Irish World,” March 20, 1886 (page 8, col. 7.):—

“ THE PARLIAMENTARY FUND.

“ LETTER FROM THE TREASURER, REV. CHARLES O’REILLY, D.D.

“ Treasurer’s Office, Irish National League of America,
 “ Detroit, Mich., March 8, 1886.

“ Patrick Ford, Editor ‘ Irish World.’—My dear sir,—Your valued letter of
 “ the 6th inst. is before me, with enclosures to the amount of \$233.23. The
 “ same has been duly placed in the Parliamentary Fund from Division I, A.O.H.,
 “ Duluth, Minn., \$73.00, and contributions through the ‘ Irish World,’ \$160.23.
 “ Herewith I return the full list of contributors, and hope if some has not
 “ already appeared, you can spare the space for publication. Conveying my best
 “ wishes to all for patriotic efforts,

“ Very faithfully yours,
 “ CHAS. O’REILLY, Treas., I.N.L. of A.”

“ Irish World,” April 10th, 1886 (page 8, col. 7):—

“ FATHER O’REILLY’S LETTER.

“ The following is Father O’Reilly’s acknowledgment of the amount for-
 “ warded to him by the ‘ Irish World ’ on March 26, a complete list of which
 “ appeared in our last issue:—

“ ‘ Treasurer’s Office, Irish National League of America,
 “ ‘ Detroit, Mich., March 29, 1886.

“ PATRICK FORD, Esquire, Editor of the “ Irish World.”

“ DEAR SIR,—With pleasure, I acknowledge receipt of your letter of the
 “ 26th inst., with the generous remittance of \$345, received by the
 “ ‘ Irish World ’ for the Parliamentary Fund.

“ Due credit will be given and public acknowledgment as follows:

	\$
“ From citizens of Fort Sydney, Neb. - - -	113.00
“ From citizens of Missoula, Mont. - - -	113.00
“ From Div. I., A.O.H., New Straitsville, Q. - - -	56.00
“ From subscriptions ‘ Irish World ’ - - -	63.00
	<hr/>
	\$345.00

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CHARLES STEWART PARNELL.

[Continued.]

“ Herewith I return list with receipt attached, and hope you will find space to
 “ voice my personal thanks to contributors.

“ Very faithfully yours,

“ CHAS. O'REILLY, Treas.”

“ Irish World ” April 10, 1886 (p. 8, col. 7) :—

“ THE IRISH NATIONAL LEAGUE OF AMERICA.

“ REV. DR. O'REILLY'S REPORT FROM JAN. 23 TO MARCH 13, 1886.

“ Treasurer's Office, Detroit, Mich.,

“ March 13, 1886.

“ The following contributions to the Irish Parliamentary Fund have been
 “ received since report of Jan. 23. Up to that date 20,000*l.* sterling had
 “ been transmitted to Chas. Stewart Parnell, leaving the following balance on
 “ hand :—

	\$
	6,596.61
“ New York City subscribers, ‘ Irish World ’—Patrick Ford-	91.00
“ New York City subscribers of the ‘ Irish World ’ -	160.23
“ Duluth, Minn., Div. 1, A.O.H., per Patrick Ford -	73.00
	<u>\$21,465.73</u>

“ CHARLES O'REILLY, Treasurer.”

“ Irish World ” May 8, 1886 (p. 8, col. 7) :—

“ THE PARLIAMENTARY FUND.

“ While the fund for the starving people in Ireland must have for a time the
 “ first claim on our support, it is also our duty to give attention and help so far as
 “ we can to the Fund whose object is the removal of the cause of Irish famines.
 “ We are glad therefore to be enabled to publish this in this week's ‘ Irish World ’
 “ a list of contributions to the Parliamentary fund, and we hope we shall be soon
 “ in a position, by the generous assistance of our friends, to publish a considerably
 “ increased amount of contributions.

“ Amount received since last acknowledgment, \$60.50.

“ Irish World ” September 4, 1886 (p. 5, col. 1) :—

“ ACKNOWLEDGMENT FROM FR. O'REILLY.

“ Treasurer's Office, I.N.L. of A., Detroit, Mich.

“ Aug. 24, 1886.

“ Hon. Patrick Ford, ‘ Irish World,’ New York City.

“ MY DEAR SIR,—Herewith I beg to hand you regular acknowledgment for
 “ the munificent sum of two thousand dollars (\$2,000) handed in by you at the
 “ Chicago Convention.

“ The amount has been duly placed in the Parliamentary fund as collections
 “ through the ‘ Irish World.’

“ With many and cordial wishes,

“ I remain, very faithfully yours,

“ CHAS. O'REILLY, Treas., I.N.L. of A.

(*Sir C. Russell.*) Will you Lordship be good enough to turn to page 3958, the
 attorney-General's cross-examination. I want to know whether he abandons this
 statement or not. It is question 59,190. It is this point of the receipt of money
 through the “ Irish World ” :—

“ I must put this to you in a somewhat general shape, though I will give you
 “ the opportunity of verifying it afterwards. I want to put it in a compendious
 “ shape to you now. Do you know, one way or the other, that through the
 “ columns of the ‘ Irish World,’ week by week, through the years 1883 and 1884,

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CHARLES STEWART PARNELL.

[Continued.]

“ large sums of money are acknowledged as being collected by the ‘ Irish World ’
“ on behalf of the Irish Parliamentary fund.”

(*The Attorney-General.*) I really with very great deference submit this is not quite regular. I think those two particular years are erroneous as far as I remember; but the statement made to which I directed cross-examination was that after 1882 never a single sixpence had come, and my cross-examination was for the purpose of showing that was not so.

(*The President.*) Can you just refer to that answer?

(*The Attorney-General.*) Yes. When the “ Irish World ” papers were being put in, Mr. Harrington stated and so did Sir Charles Russell that after a certain date, 14th October 1882, not a single sixpence directly or indirectly had ever been collected or contributed by the “ Irish World.” It is at page 3393. I am not of course commenting upon it.

(*Sir C. Russell.*) I am not upon any statement of Mr. Harrington at present. I am upon this evidence.

(*The President.*) If we are to be quite regular, you are not entitled to call upon the Attorney-General to give any answer.

(*Sir C. Russell.*) I am calling attention that the papers put in do not satisfy it.

(*The President.*) These questions are pertinent as to what time contributions were returned through the “ Irish World.”

(*The Attorney-General.*) Sir Charles Russell says this. The reference to the date of November 1882 was this—“ At that time the National League was formed, towards
“ which, as I believe the fact to be (of course we shall see how that is), no contribution
“ of any kind came from or through Mr. Ford at all, as I am instructed.”

(*Sir C. Russell.*) Quite right.

(*The Attorney-General.*) Later on, when Mr. Harrington read the article, there is another statement that it was not for the Parliamentary fund—no money had ever been contributed. That occurs on 3394.

Re-examined by Sir CHARLES RUSSELL.

61,943. Mr. Parnell, will you just give me your attention. You stated in cross-examination to the Attorney-General that unless it might be as regards sums not forwarded from the local branches that there were no remittances from or through the “ Irish World ” after the middle of 1882?—That was my impression.

61,944. To the Land League I am talking of?—Yes.

61,945. Or the National League. Is there anything in any of these documents which have been read that in any way conflicts with that statement?—No, not in the slightest degree.

(*The President.*) What is the meaning of sums contributed to the Parliamentary fund?

(*Sir C. Russell.*) Your Lordship will see the difference in a moment. The first of those is in 1885. Your Lordship will forgive me; this is rather a serious matter. Mr. Parnell’s statement is this, at question 59,111, page 3,944. “ Will you pledge your
“ word that the Irish Parliamentary party have not received thousands of pounds,
“ collected by Patrick Ford, since 1882. (A.) Unless the ‘ Irish World ’ may have
“ collected some sums in recent years, for the ‘ Irish World ’ has again changed its policy
“ since the introduction of Mr. Gladstone’s Bill of 1885. (Q) No; do not let us go to
“ the introduction of Mr. Gladstone’s Bill at present. I am upon the period 1882 to
“ 1886? (A.) Not so far as I know. The ‘ Irish World ’ was not collecting money
“ for the Parliamentary fund.” Now, in the first place, so far as the Land League is concerned, except sums which as you suggested might not have been forwarded from the local branches, there was, so far as you know, no remittance through the “ Irish World ” to the Land League or National League after 1882?—No, none until Patrick Ford again changed his policy, when we threw out the Liberal Government, and put the Conservative Government into power.

61,946. And then to the Parliamentary fund?—And then some remittances to the Parliamentary fund may have come.

61,947 Now Mr. Atkinson has read a number of items commencing the 3rd of October 1885. I will call my Lord’s attention to the form of that, You probably

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[Continued.]

will recollect this was after the Liberal Government had been turned out, was it not?—Yes.

61,948. First of all, let me ask you, where does Dr. O'Reilly, the treasurer live?—Detroit.

61,949. That is the Rev. Charles O'Reilly?—Yes.

61,950. Who was trustee of the Irish National Land League?—Yes.

(*Sir C. Russell.*) Now, my Lord, this is not an acknowledgment of the "Irish World" at all as having received one penny. It is this:

" Irish National Land League Fund,
" Treasurer's Office,
" Detroit, Sept. 1st, 1885.

" The following contributions have been received during August from branch
" dues, and Parliamentary Fund."

Then comes an enumeration of the items. So that it is not through the "World" at all. It is a mere announcement from the treasurer. Now, I will take the next. That is under the date 31st of October. The same heading:

" Parliamentary Fund,
" Treasurer's Office.
" Detroit, Michigan,
" 10th October 1885."

And then follows in the same way an enumeration of the sums received by him, the treasurer.

Adjourned for a short time.

61,951. (*Sir C. Russell.*) My Lords, I have gone through all these, with my friend Mr. Renan, and can save your Lordships' time if I now state the results. First of all, as regards the Land League, you have already told us, Mr. Parnell, that unless it be that any moneys of the local branches were forwarded to the "Irish World" after the middle of 1882, there were no moneys coming for the Land League from the "Irish World" after the middle of 1882?—Precisely. My belief is that the Land League after the release from Kilmainham ceased to use any exertions to collect funds for us, and that there were the funds which were remitted through the branches.

61,952. You mean the "Irish World" ceased?—The "Irish World" ceased—that these were the funds remitted through the "Irish World" by the branches which had been in the habit of remitting in that way previously.

61,953. And, as we saw from the "Irish World" newspaper, the fund was definitely closed to the columns of the "Irish World," or the columns of the "Irish World" were closed against the fund in October?—In October.

61,954. So far as regards the Land League. Now, during 1882, 1883, and 1884, was any money sent for any purpose?

(*The Attorney-General.*) 1882?

(*Sir C. Russell.*) Yes, after the remittances I have just mentioned—You were not here, Mr. Attorney. Was any money remitted by, or even acknowledged in, although not collected by the "Irish World" during 1882, 1883, and 1884?—My strong belief is that there was not any such sum of money or any money whatever acknowledged.

61,955. Or collected?—Or collected, or remitted to the "Irish World" during that period.

61,956. Then we come to the time when you say there was a change in the policy of the "Irish World," towards the end of 1885?—Towards the end of 1885 Patrick Ford again commenced to change back towards us.

(*Sir C. Russell.*) Will your Lordships take it that the first acknowledgment of any contribution by or through Patrick Ford was on the 26th December 1885 to the "Irish World."

61,957. What was the period which you have described as the period when Patrick was advocating in any shape or form continuously the policy of dynamite?—I should think from the commencement of 1883, probably up to the end of 1884, and at that

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CHARLES STEWART PARNELL.

[Continued.]

time after that period 1884 I believe that Patrick Ford became convinced from the attitude of the Irish in America, from the decrease in the circulation of his newspaper, that he could not continue to advocate the policy of dynamite.

61,958. In other words, that its circulation was falling off?—Its circulation was falling off owing to its advocacy of the policy of dynamite and his opposition to us.

61,959. You were challenged by the Attorney to refer to any statements in the columns of the “Irish World” hostile to your movements after what has been called the “Kilmainham transaction or treaty.”—Yes.

61,960. Have you had directions given to have those passages looked up?—Yes.

(*Sir C. Russell.*) You have got a copy, Mr. Attorney. It will save time if you bring it in, and I will read the passages and give you a reference.

(*The Attorney-General.*) Of course we shall have to look and see if there is not a great deal more.

(*Sir C. Russell.*) No doubt there are a great deal more. These are like your own, extracts.

The 5th of August 1882, article:—

“Ought not to have gone back. Their refusal to return”——

That is the refusal of the members to go to the House of Commons.

“would also have the effect of creating a more self-reliant spirit amongst their constituents. With no Irish members in the House of Commons the Irish people would not indulge in the decision that there was any possibility of their getting from Parliament anything worth having.”

On the same day:—

“A Misleading Promise. In our opinion it would be much better for the Irish people to place no faith in Parliament and obstruction, but to depend altogether on themselves.”

So far as that article, and articles of that class had any influence would it be an influence directly counter to your constitutional movement?—Undoubtedly, it was an attempt to point out to the Irish people in America and in Ireland that we were useless.

61,961. On the 19th of August this occurs:—

“We have always maintained that as far as Ireland was concerned it was useless for the Irish people to send representatives to the British Legislature.”

On the 26th of August:—

“The Arrears sham. The Arrears Bill item from whatever side you view it in the interests of landlordism so far from exciting anything like a feeling of gratitude in the breasts of the Irish people, it ought to be to them an additional proof that they will never receive anything worth accepting from a foreign legislature, that undertakes to legislate for Ireland.”

I need not ask you—that is quite contrary to your views?—That is a direct attack upon me, for I had distinctly and most prominently associated myself with the Arrears Bill as being a Bill which the Irish people ought to accept, and which was well worth their acceptance.

61,962. I believe you have said so, but I will put it interrogatively—and which you were engaged in preparing when you were in Kilmainham?—Yes.

61,963. And did you or did you not look to that as the most important factor in preventing outrage?—Undoubtedly most important, without which it was useless to attempt to prevent outrage.

61,964. I will just ask you as this matter here comes up, in your view from the information that from time to time you received, what was the class of persons, or from whom did the agrarian outrages ordinarily proceed?—They appeared to me, from the information I received from time to time, to proceed from the lower class of the tenants and the remnants of the Ribbon Societies throughout the country, who collected together in each locality, and formed small organisations amongst themselves, and went about committing these outrages for the purpose of intimidating the larger tenant farmers from paying their rents.

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[Continued.]

61,965. In other words, the small farmers or the sons of the small farmers, or the labourers, or the sons of the labourers?—Yes, the young men, sons of what would be called the lower class in the district, the sons of the poorer class.

61,966. I do not know whether you recollect the evidence of Irwin, I think, who spoke of these small societies existing in each locality?—That is the strong impression I formed from what I have heard all along throughout the movement, and from my conversations with some of these men themselves in Kilmainham, for occasionally Mr. Forster did manage to lay his hand on a Moonlighter—not many, but some.

61,967. What I want to get clear is this, did those local combinations or conspiracies represent merely local organisations, or could they be described as general conspiracies in the country?—They differed from the old Ribbon conspiracies and from the Fenian organisations, inasmuch as there was no central direction and no connexion between the different organisations. They were isolated collections of men in each locality, and they had no connexion with other collections of the same sort in the neighbourhood, or in the neighbouring parishes.

61,968. And as we have heard from some of the men themselves they were bound by some form of secret oath?—Most likely, but they had no connexion with Fenian organisations, and certainly no connexion with the Land League.

61,969. 2nd of September.

“ THE PROPOSED PARLIAMENTARY FUND.

“ It is proposed to raise a fund out of which Irish members are to be paid a fixed salary for their services in the British Parliament. It is to be known as the ‘Members Sustentation Fund.’ Not only will the Irish in Ireland be invited to contribute to it, but Irish-Americans are likewise expected to give something from their earnings to help it on. In other words, the Irish race at home and abroad are to be taxed to support a certain number of Irishmen who by their presence in a foreign Legislature confess that their country has ceased to be a nation. We submit that this is a kind of work that no Irishman ought to be paid for performing.

“ We honestly confess that we cannot see how Irishmen who one moment vehemently profess that Ireland has never ceased to be a nation, can at the next moment consistently put their hands into their pockets and give money to support a Parliamentary representation at Westminster.”

Then it goes on at greater length. I do not think I need read the rest of it. Well, perhaps I had better read the whole of it.

“ It is true that representatives ought to be paid for their services. That is a democratic doctrine. Hence we believe that English Members of Parliament ought to receive a salary. They have been elected by the English people to legislate for them in an *English Legislature*. They should, therefore, be paid for their time and services :

“ With the Irish members it is quite different. They do not legislate for the Irish people in an Irish Parliament. They are aliens in a British Legislature, who have no business there unless they acknowledge that their own country has ceased to be a nation. Why do they go to Parliament? Is it not to help to make laws for Ireland, England, and Scotland, in conjunction with the English and Scotch members? Now, we hold that an Irishman has no more right to legislate for England or Scotland than an Englishman or Scotchman has to legislate for Ireland; and when he undertakes to do so he acknowledges that Ireland has ceased to exist as a separate nation and has become incorporated with Great Britain. Whatever his professions may be his acts proclaim him to be, in a certain sense, a West Briton, for what does West Britonism consist of but acknowledging that Ireland and England ought to be recognised as one country.”

Then, September 2nd.

“ The Irish land agitation widening its scope.”

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CHARLES STEWART PARNELL.

[Continued.]

(*The Attorney-General.*) There is a good deal more praising, Mr. Parnell, in that very article. I do not object to those passages going in, but they do not represent the whole.

(*The Witness.*) I do not represent that Mr. Patrick Ford ever attacked me personally; he attacked my policy.

61,970. (*Sir C. Russell.*) You said so before, Mr. Parnell?—Yes.

61,971. Do you or not regard that article, so far as the “Irish World” had any influence in America, as detracting from the force of your movement?—I consider that that article just now read is a very strong attempt to destroy our existence and the future of our party.

61,972. With reference to peasant proprietary, the 2nd September 1882:—

“Peasant proprietary was the panacea suggested by some. Substitute a landlordism of six hundred thousand for one of ten thousand, and all will be well, the advocate of peasant proprietary tell us. This is tantamount to saying ‘landlordism is not wrong in itself, and is a blessing if it is sufficiently diffused.’”

That was another direct attack upon my policy in peasant proprietary, a movement with which I have always been identified.

61,973. Which is now a policy, if I may say so, that has been adopted by both political parties?—Yes, it is the settled policy of the state now.

61,974. Then on the 9th September 1882, “*A Dismal Failure*”—that is in reference to the Land Act:—

“A dismal failure it has undoubtedly been, and if there is no one in the British House of Parliament to describe it as such, it is we suppose because Mr. Parnell and his colleagues do not see the necessity for any longer drawing the attention of the Irish people to a failure which is, and has been for the last six months, apparent to all the world. If a measure is passed by Parliament to accomplish a certain object, and if it fails to do so, it must be said to have failed. Has the Land Act accomplished the object for which we presume it was framed, viz., the staying of evictions and the settlement generally of the Irish Land Question? As for staying evictions, it is a notorious fact that the introduction of that Act was the signal for the wholesale eviction of those people in deep arrears of rack rent and to whom the Land Act offered no protection whatever.”

(*The Attorney-General.*) Would you kindly note in passing that on the same paper is a long letter from Mr. Davitt publishing the whole of the work of the Land League on the 9th September?

(*Sir C. Russell.*) I have no objection, but it is not relevant to the point we are upon. The next is 7th October:—

“Mr. Justin McCarthy was before his constituents in Longford the other day telling that it was the Parliamentary party who ousted Mr. Forster and forced Gladstone to introduce the ‘Arrears Bill.’ Well, as to Forster, who sent him to the ‘right about,’ is not of much consequence whether it was the particular Parliament men or the general execration of the public, or anything else. But the ‘Arrears Bill!’ Justin must have been wandering in the mazes of his delightful imagination when he did not realise the nature of that Arrears Bill—did not know that it was a Bill to relieve the distressed land thieves by robbing the Church Fund—which is the property of the Irish people—of the last shilling it contained, then falling back upon the national tax-payers to make good the deficiency; that unless the tenant, impoverished by the failing crops of 1879–1880 has sold his last cow to make up a 30l. year’s rent, he is not let into the bill at all—that, in short, it was a bill to give the idle thieves what the skies refused to rain down to them. Well, Mr. McCarthy was not alone in his mistake.”

Then there is a further article, which I do not trouble your Lordships with, in the same vein, which turned the action of the Parliamentary Party into ridicule:—

“And session after session commissioned men to go over and lay the sores of Lazarus at Dives’s door—over to work of that kind, instead of keeping those

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“ men at home, and devising means to pluck up the very root of the disease—the
 “ accurst land robbers—out of Ireland, so that the thieves and the sorers might
 “ disappear together.”

Now, the last paragraph is this :—

“ Now, should Ireland take the attitude that naturally and logically belongs
 “ to her, and declare herself a moral rebel, by utterly refusing to join hands with
 “ her oppressor—if the Irish members only rose in a body and walked out of the
 “ English Parliament—that and that attitude would in one day attract more of
 “ the world’s attention to her, and of the world’s respect than all the talking, and
 “ from bench to lobbying that she could perform in that alien House in the course
 “ of a lifetime.”

The next is 14 October 1882.

“ THE FOLLY OF PARLIAMENTARY AGITATION.

“ In a few days Parliament will be again in session when the Irish members
 “ will resume the hopeless task of trying to procure for their country through
 “ Parliamentary agitation some small instalments of justice. The net result of
 “ their efforts in the past is not of a character to inspire any hope for the future.
 “ In saying this we do not wish to be understood as calling into question either
 “ the ability or the sincerity of the men who compose the Parliamentary party.
 “ The fact of the matter is that Irish representatives in the British Legislature
 “ have undertaken to perform an impossible task and no amount of ability and
 “ sincerity on their part will render them capable of doing what in the nature of
 “ things it is impossible for them to do. And yet there are some who would
 “ have Ireland forget the past and have her rely on Parliamentary agitation to
 “ recover her political and social rights.”

(*The Attorney-General.*) I think the part about Mr. John Dillon should be read.

(*Sir C. Russell.*) I have not got it, Sir Henry James has got what I have.

(*The Attorney-General.*) [*Reading from the “ Irish World ” of 14th October 1882*]:—

“ Honest John Dillon gave expression to this thought when last year in a
 “ speech in Dublin he said :—

“ ‘ The centre of gravity, the centre of action of Irish politics is planted
 “ ‘ on Irish soil. We taught the people in the beginning to turn their faces
 “ ‘ from London, and we taught then that as long as the centre of action,
 “ ‘ the centre of gravity and power, instead of lying on Irish soil, lay in
 “ ‘ London, so long would there be weakness, corruption, treachery. The
 “ ‘ lesson we must all draw for the future of Ireland is this, that if we want
 “ ‘ power, if we want earnestness and reality in every Irish movement, the
 “ ‘ controlling power must be here in Ireland, under the influence of Irish
 “ ‘ opinion. If you send angels into Parliament they will betray the people.
 “ ‘ Let us then resolve that, for the future, we will never trust any Parlia-
 “ ‘ mentary Party.’

“ Truer words than these were never spoken. The [history of Irish
 “ movements for the last 50 years proves how true they are.”

(*Sir C. Russell.*) The next is the clause of the Land League Fund. Your Lordships have already got the 4th October 1882. This is under date of the 14th, the particular thing is towards the close. This I need not read. It has already been read :—

“ And with this remittance—it is with a keenness of pain that I make the
 “ announcement—will close the columns of the “ Irish World ” to the Land
 “ League Fund. The reason for this action is that there is no longer a Land
 “ League in existence.”

(*The Attorney-General.*) I have not the same copy.

(*Sir C. Russell.*) :—

“ What was the Land League is a thing of the past, and in its stead appears
 “ that beggarly nondescript—with its crouch and whine—the Mansion House
 “ Relief Committee. The hat is being again passed round ‘ for poor Ireland.’ A

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“ reaction has set in. Rather, a halt has been given to the logic of the movement.
 “ Canute commands the waves to recede; but will they? For the present,
 “ however, there is a check. The heel has been firmly put down on the principle
 “ of the land for the people, it must not even be discussed. What are those
 “ Communists babbling about? They should learn that peasants have rights,
 “ tenant-farmers have rights, but man has no rights, at least not within the range
 “ of practical politics.”

(*The Witness.*) The Mansion House Committee was the organisation which I had just started; it was attacked, and evidently I was intended to be represented as Canute.

(*The Attorney-General.*) I only mentioned that there is a three-column letter from Mr. Davitt in that as well.

(*Sir C. Russell.*) Then there is a reference to certain politicians which I need not trouble your Lordships with. Then it goes on:—

“ From the day of the ‘Kilmainham Treaty’
 in inverted commas,

“ it has been nothing but going backward. A quietness was put on the land
 “ agitation, the ‘No Rent Manifesto’ was withdrawn, public meetings were
 “ discountenanced, and finally, the Ladies’ Land League—the ‘best men in the
 “ ‘whole movement.’ as someone said—were disbanded. This repression has
 “ actually co-operated with coercion. If the quieting down policy was stipulated
 “ in the treaty, then certainly the conditions of that treaty have been most
 “ faithfully observed.”

That is true, Mr. Parnell, that the No Rent Manifesto had been withdrawn, and you had yourself dissolved the Ladies’ Land League?—The Ladies’ Land League had dissolved at my request.

61,975.

“ The Parliamentary party have it all their own way, and nothing is now to
 “ be done in Ireland without word from London. And as a Member of the
 “ British Parliament is an important person—as he is ever oppressively conscious
 “ of what might be thought of him in ‘the House,’—it is not expected, of course,
 “ that he would say or do anything that would compromise his standing as a
 “ Member.

“ In all this I wish to say nothing whatever in disparagement personally of
 “ the gentlemen who compose the Irish Parliamentary party, I believe they are
 “ individually as brave and as devoted as any equal number of men from Ireland
 “ would be likely to prove themselves. Entirely so. But what then? This very
 “ fact only strengthens the argument, for if the best of Irishmen can do so little
 “ in the British Parliament, what can be expected at all from the more indifferent
 “ sort? That question answers itself.

“ But even on good Irishmen the atmosphere of London has a bad effect,
 “ and for their health’s sake they ought to stay away from there.

“ It is truly astonishing how really sensible young men—sensible in most
 “ things, have got themselves to believe that those constitutional sham battles of
 “ theirs could ever work out Ireland’s redemption, or bring any substantial good
 “ at all to the Irish people.

“ But if *they* are deluded, that is no reason why we ought to make fools
 “ of ourselves. *We know better.* And, knowing and feeling as we do, it would be
 “ an unpardonable crime in us were we to continue to give countenance to the
 “ delusion.”

That is the delusion of receiving any redress by these remedial measures by the action of Parliament?—That we could gain any advantage at all by continuing in Parliament.

61,976. Then there is a little bit of self-laudation:—

“ From the day of its birth till now the ‘Irish World’ has worked faithfully
 “ for truth, justice, and Ireland.”

Then it speaks of the money which it had been the means of raising or helping raising, and then goes on—

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(*The Attorney-General.*) Will you read that, please?

(*Sir C. Russell.*) I will read the whole of it, then—

“ From the day of its birth till now the ‘ Irish World ’ has worked faithfully for Truth, Justice, and Ireland. It was the first paper on either side of the ocean to enlighten the people on the land robber system. It was it that suggested the great thought to Michael Davitt—the founder of the Land League himself has manfully admitted that much. It called into existence upwards of a thousand branches, and in three years has raised and forwarded on to Mr. Patrick Egan three hundred and forty-two thousand dollars; and for the work and time expended in accomplishing that it has not charged a penny.”

That has been read before.

“ The labour was a labour of love to us, and we found our compensation in the thought that we were engaged in a movement that had taken a bold step in the ages, and promised to be the beginning of Ireland’s independance, social and political.

“ But the reaction now inauguated by the Parliamentary party. Well, to be sure, we do not like it, but we cannot say we are disappointed, and certainly we do not despair. *The movement will go on.* There is no power on earth that can stop it. The educational work in Ireland has revolutionised the people, especially the rising generation. Every man who knew Ireland a generation ago, and who has visited that country within the past five years, will bear witness to the astonishing change—the revolution—that has swept over the people. The light has spread. The principle which the ‘ Irish World ’ enunciated has struck its roots deep in the soil, and will there abide.

“ England, too, is catching fire, and Scotland, and here in America what question is coming to the point like the land? A New World has been discovered, and all are crying out ‘ Land! Land!’ ”

By the way, in reference to that Patrick Ford in relation to the land means the nationalisation, I believe?—Yes.

61,977. That is the scheme that he advocated. Then it goes on lower down :—

“ ‘ Who’ll buy? Who’il buy?’ No one will buy. Because everyone feels that the land thieves must go! and, after the land thieves, right on their heels, the Castle will go, and the English flag will go, and the Parliamentary programme will go! and Ireland will have her own again.

“ So, my brothers, be not discouraged. If for the time being things look dark, know that it is but an eclipse, it will pass, and Ireland’s sun, coming forth in its brightness, will warm, enlighten, and gladden ‘ a land that has had ‘ a long night and will inevitably have a glorious day.’ ”

“ (Signed) PATRICK FORD.”

Then on the 21st October :—

“ NO MORE BEGGING FOR IRELAND.

“ The question we are about to ask is a pertinent question. For what purpose is money any longer raised for an organization that has abandoned its original line of policy and ceased from its labours? We have reference to the Land League of Ireland, now no more. Its Executive Council is broken up and melted away. The members never meet. There is not the quietest whisper even that they ever meet in secret. The ladies who did such noble work and who displayed so much heroism in Ireland’s darkest hour, were disbanded, though they were still willing to continue in the service. There is no longer a principal at issue. Mr. Parnell himself declared that with the passage of the Arrears Bill he regarded the Land Question settled. The No Rent Manifesto has been withdrawn. There are no organisers going about knitting the people together. There are no orators or teachers sent through the country to educate men. On the contrary, all agitation has been discountenanced and a quieting down policy is the order of the day. For what, then, is money needed?

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“ The visible effects of this quieting down policy are every day quoted by
 “ the admirers of Gladstone in proof of his masterly and vigorous statesmanship
 “ in passing the Repression Bill. Even Lawson, the ‘hanging Judge,’ says
 “ Ireland is much improved. The averse means of governing the Irish, says
 “ Froude, is to give them their own way. In concession they see only fear.
 “ Coercion succeeds better. They respect a master hand, though it be a hard and
 “ cruel one. It would seem from the spiritless attitude of political Ireland as if
 “ Froude were half right, although it is humiliation to have to acknowledge it.
 “ We cannot believe, however, that this inglorious inaction is attributable to the
 “ cowardice of the people of Ireland. It is due entirely—let the full truth be
 “ known once for all—to the stipulation imposed by the Treaty of Kilmainham.
 “ Irish leaders never ought to have had any understanding with the British
 “ Government. England always comes off best in her treaties. The Irish, as
 “ Dr. McGlynn put it, should take what they can, push on for more, and promise
 “ nothing. That would be the true policy. But in a moment of fatal weakness,
 “ Mr. Parnell agreed to that unfortunate compact; and from that day to this the
 “ movement has been going backward. Aggressiveness has yielded to repression
 “ and progress has given way to reaction.”

(*The Attorney-General.*) You had better read the rest of it.

(*Sir C. Russell.*) Would you mind reading it?

(*The Attorney-General.*) I will with pleasure.

“ That treaty, as soon as the knowledge of the fact leaked out, struck Ireland
 “ with consternation, and came very near disrupting the Irish party. A majority
 “ of his own colleagues turned at their heels and were about to go. The ‘Irish
 “ World’ urged on them to remain. We had hoped that Mr. Parnell would awake
 “ to consciousness and be himself again. We had hoped that the ill-advisedness
 “ of his Act (to use no harder term) would on consideration become apparent to
 “ him—that he would see that he had no right to enter into such a compact on
 “ his own responsibility solely, neither was he bound to adhere to its terms in so
 “ far as they affected Ireland. But in this hope we have been disappointed. The
 “ loyalest and most earnest men in the movement are disappointed—Davitt,
 “ Dillon, Egan, and Brennan have been wishing and praying for vigorous action
 “ all in vain.

“ What may come of the conference which is now about to meet it is, of
 “ of course, not for us to say; but, excepting whatever good is to result from this
 “ conference, the outcome of which is purely contingent, the quieting down policy
 “ is still the order of the day. It may be that Mr. Parnell feels himself bound in
 “ honour as a gentleman to continue to observe the terms of the Kilmainham
 “ Treaty. We have no desire to question his sense of propriety. But here another
 “ question arises: Is Ireland, who has not approved that treaty, and who feels
 “ that its stipulations are ruinous to her cause, is she bound by it. As a matter
 “ of fact, she is bound by it. And here one more question presents itself. If the
 “ land question is practically settled, if the agitation ought to cease, if the only
 “ work to be done hereafter of a political nature is to be attended to by the par-
 “ liamentary party solely, if London and not Ireland is to be the centre of action,
 “ why then cry out for money to America. This is a fair and pertinent question,
 “ and is entitled to a civil answer.”

There is a good deal more than that, which I need not read.

(*Sir C. Russell.*) I will read the rest:

“ We hear something of a Mansion House Fund for the relief of evicted
 “ tenants. ‘Evicted tenants!’ And why are tenants evicted? For non-
 “ payment of rent of course. But are the people out on strike against rent?
 “ No; the Irish people are advised to do nothing of the sort. This relief is for
 “ those only who are unable to pay rent. The man who refuses to pay the
 “ ‘immoral tax’ on principle, can count on no assistance from the ‘Relief Fund.’
 “ Not for him is the hat sent round. But all this is an almsgiving affair, in which
 “ the ladies could be much more appropriately employed than bearded men. This
 “ is not Land League work. The maxim of the Land League was ‘Hold the
 “ ‘harvest. Keep a firm grip of your holdings.’ The Land League was terrible

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“ as an army in battle array. In the words of the London ‘Times,’ it ‘baffled
 “ ‘ the greatest of legislatures, and outflanked the largest of British armies.’
 “ Under its banner ‘ the Irish did and dared as they never done or dared before.’
 “ The Land League never sent forth a mendicant appeal. The only appeal it
 “ made was for the ‘sinews of war’ to enable an uprisen people—a people
 “ awakened to a sense of their rights—to fight the land thieves, and sweep
 “ away the whole damned and damning system, that for ages of oppres-
 “ sion had been crushing the souls and destroying the bodies of the
 “ children of Ireland. The Land League sought justice, not charity. The
 “ Land League strove to make men of a race of beggars. The Mansion House
 “ Relief arrangement, on the contrary, which offers nothing but a plate of cold
 “ victuals to the crouching and whining crowd without, is making paupers of men.
 “ It says nothing of rights, nothing of manhood. It knows nothing of that high-
 “ minded self-respect, that burning pride of race, which reddened the cheeks and
 “ fired the heart of that Irishman, who, standing on the site of his own ruined
 “ homestead three years ago, declared in the hearing of 20,000 men, and in the
 “ presence of the God that made him, that never again with his consent would
 “ the hat go round in behalf of Ireland; that if his countrymen had not now
 “ the heroism and the spirit of self-sacrifice necessary to re-enter upon their
 “ inheritance, they might be driven from their homes and die in the roadside
 “ ditches without a protest from him. This alms-giving is a humiliation to us,
 “ and a degradation to those who are its recipients. In the name of decency let
 “ us have done with it. But whatever others may do the ‘Irish World’ for one,
 “ will no more go begging for the Irish people.”

This is in anticipation of the conference which was held in Dublin, at which the National League was founded in October 1882?—Yes.

(*The Attorney-General.*) There is a three-column letter from Mr. Davitt, my Lord, in that paper as well.

(*Sir C. Russell.*) I am not going to read that

61,978. And the National League was founded at a representative convention of the Irish people in Ireland?—Undoubtedly.

61,979. We have had you know, in detail, put in, the Resolutions and the Constitution of that National League; did it relate to this part, or not, in your judgment, to the great mass of the people in Ireland?—Undoubtedly.

61,980. As far as you could judge, what do you say of the Irish people in America?—I think that the Irish people in America in consequence of these attacks upon us by the “Irish World” did not rally to us in the early days of the National movement as we expected they would have done, and as the Irish people at home did.

61,981. And now later—further on?—I think it was not till the commencement of 1885 that the National League commenced to be really strong in America, when the “Irish World” had ceased to sow dissension in their ranks.

61,982. I must just ask you in this connexion, can you form a judgment as to the number of members of the various branches of the Land League in America?—From the information which has been given to me from time to time I should say that at the height Land League movement in America, it must have numbered from a million to a million and a half of men.

61,983. Of members?—Yes.

61,984. You have in your mind probably the statement of the man Beach, or Le Caron, as to the greatest numerical strength of the Clan-na-Gael, as to which he spoke?—Yes, I saw that statement.

61,985. Compared with those numbers it was an insignificant figure?—Infinitesimal—not a 30th part of the strength of our movement. I think something like 30,000 as compared to a million.

61,986. I think 33,000 was the highest figure in 1886. Then, my Lord, in that same number there is another article:—

“ IRELAND AND THE PARLIAMENTARY PROGRAMME.

“ Last week we proved that Parliamentary agitation never succeeded in
 “ procuring any real benefits for Ireland. We showed that whatever has been
 “ gained by the Irish people has been won by their own efforts.

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“ It may, however, be objected that if Parliamentary agitation has not secured any great benefits for Ireland in the way of positive legislation, it has at least prevented a great deal of bad legislation. If Parliamentarians can establish this claim then, to a certain extent, they will be justified in asking Ireland to place some confidence in their programme.

“ This Parliamentary weapon will be soon wrenched from the hands of the Irish members, and they will be obliged to fight the Parliamentary sham battle in the way Butt fought it before obstruction was thought of. When the Irish Party in Parliament can no longer block the business of the House, what is left for them to do? They have all along acted on the theory that they can get nothing for Ireland except by threatening Parliament to stop legislation for the rest of the British Empire until Irish grievances are first attended to. After the cloture is passed they can no longer put that threat into execution. How, then, are they going to benefit Ireland? They have told us over and over again that the only way of getting anything from the British Parliament was to obstruct the business of the House. When they can no longer have recourse to that method, what are they going to do? Do they propose to benefit Ireland by co-operating with Gladstone in advancing ‘liberal legislation’?

“ Mr. Healy tells us that agitation outside of Parliament is the means that must be employed to win such a miserable instalment as that demanded by the leaseholders. In making this admission Mr. Healy did not probably think of the conclusion that logically flows from it. If Irish members of Parliament can do nothing unless they have a popular agitation back of them—if they are powerless to act without it—and this is what Mr. Healy virtually confesses—then where is the wisdom in asking Ireland to pin her hopes to the parliamentary programme which proposes to fight Ireland’s battle, not on Irish soil, but in Westminster.”

Then on the 28th October—

“ WHY SUBSCRIPTIONS ARE STILL NEEDED FOR IRELAND.

“ The Arrears Act assures the land-thief of two years’ rent—rent that he never would have got had the No-rent Manifesto not been withdrawn. One year’s rent was from Government? But where does Government get the money? Is it not from the Irish Church Fund; and what is that fund but the property of Ireland—the stolen property of the Ages of Faith? Half the rent then comes out of Ireland’s hind pocket and the other half must come out of the sweat of the wretched tenant. And if the wretched tenant is so utterly wretched that he cannot yield the tribute—and the ‘Sun’ says this is so in fifty thousand cases—what then? Why, then, out he goes on the roadside, if the Irish exiles in America don’t pass round the hat.”

Then on the same day—

“ THE PARLIAMENTARY FOLLY.

“ Ireland has had fifty-three years’ experience of Parliamentary agitation. A political experiment extending over half a century ought to be able to show positive results to justify its continuance, and yet during these fifty-three years the Irish people have gained nothing, absolutely nothing, by keeping up the Parliamentary farce that is enacted every year at Westminster. Parliamentarians do not look beyond Parliament for the redress of Ireland’s grievances, and they are therefore obliged to shape their demands, not by what the Irish people need, but by what Parliament would be likely to grant. It is therefore only natural for them to try to minimise the demands of any agitation they are associated with. Hence the great danger of the Irish people looking to Parliamentarians to secure for them rights that can be only won by their persistent efforts.”

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Then on the 4th November:—

“ THE PARLIAMENTARY SWINDLE.

“ But the day following a telegram contradicting the specific and technical charge made against the Parliamentary party was sent over the water, and found its way into some of the New York morning papers, which are professedly friendly to the policy of Mr. Parnell. This latter telegram, though explanatory in its character, was hardly less startling in its avowal than the former one. In a conversation with the agent of the United Press Association (Dublin, October 21) Mr. Parnell gave the following statement:—‘In referring to the charge that money collected from the poor Irish all over the world was being used by the leaders of the League for their own private purposes, Mr. Parnell said it was well known that two separate collections were made, the funds of one being devoted to the relief of evicted farmers and tenants, while those of the other were used to further the election of members of Parliament pledged to support the Land League movement.’

“ ‘To further the election of members of Parliament.’ Eh! So! When our eyes first fell upon this paragraph we read it over again and then re-read it a third time to make sure that we understood it. It is then here confessed— if we understand Mr. Parnell correctly—that the Land League fund—the money raised in America and ‘all over the world’—besides has been expended for Parliamentary electioneering purposes. We fail to recall any special fund that was raised for Parliamentary electioneering purposes, so that the money must have come out of the Land League fund. There has been five funds altogether.”

Then they agree then; in other words as far as I have yet gone, it is a charge of misappropriation?—Yes.

(*The Attorney-General.*) It is a charge of funds being applied for another purpose.

(*Sir C. Russell.*) I should say that was misappropriation. We will use a neutral word “diversion.” Then it goes on:—

“ The unscrupulous use of money by the Government in the Parliamentary elections had in some instances rendered necessary heavy outlays to secure the return of men pledged to the cause of Ireland.”

(*The Attorney-General.*) Was that stated to be Mr. Parnell’s answer.

(*Sir C. Russell.*) Yes. Then the answer goes on:

“ The charges were probably based on the error of confounding payments for such proper and necessary expenses, which were made in exact conformity with the original conditions under which the fund was created.”

(*The Attorney-General.*)

“ With sums which apply to equally important objects within another branch of the Land League programme.”

(*Sir C. Russell.*) That is not the part I am upon.

“ We solemnly and emphatically declare that we never once dreamed that such game was being played, nor did we ever suppose that those in charge of the Land League fund could for the moment have sanctioned such a proceeding. We as solemnly and as emphatically declare that had the knowledge of such transactions come into our possession, at any time within the past three years, never would we have contributed a dollar to that fund and never would the voice of the ‘Irish World’ have gone forth in advocacy of its pretensions. Never! And in saying this we feel assured we give expression to the sentiments of every reader of this paper throughout the American continent. The ‘Irish World’ from the first and all along has disfavoured and derided this parliamentary by-play. We regarded it as a waste of time and energy, a delusion, a cheat, a cause of humiliation to every Irishman of spirit, and a source of never-failing ridicule to every enemy of the race.”

And then there is a very great deal more that I pass over.

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Now, on the 4th of November:—

“ PARLIAMENTARY BOSSISM.

“ It will be understood that we do not object to Parliamentarians on personal grounds. It is not the men who will be the nominees of the Parliamentary party whom we object to, but to the system by which they will be nominated. To us it seems surprising that the incongruity of the whole thing did not impress itself upon the conference and prevent it from bestowing its sanction on a proceeding that must give the world a very poor estimate of the advancement the Irish people have made in democracy.”

61,987. This article was composed after the conference had given in its adhesion to the Parliamentary movement?—Yes, after a very distinct and considerable reference had been made to the programme of the National League, to the Parliamentary programme, and the programme of the Parliamentary party.

61,988.

“ Irishmen have learnt from experience of the past to distrust the Parliamentarians, and it will be found impossible to disabuse them of this distrust.”

Then there is a great deal more of that. Then the 11th of November:—

“ Honesty, Poverty Insulted.”

Mr. Parnell is accused of throwing kisses to the “rich Irishmen of America.” I do not trouble about that. Then it says, in this speech he speaks of “large subscriptions given, which could only have come from men of large means.” And then it says:—

“ The speech quoted does but little credit to Mr. Parnell. The truckling sentiment that characterises it could never have found lodgment in the breast of a really great man.”

Then he goes on a little lower:—

“ The social standing of the man is really of but small account. No aristocrat never yet initiated a popular movement.”

(*The Attorney-General.*) My Lord, in that same 4th of November is again a three column letter of Mr. Davitt.

(*Sir C. Russell.*) My Lord, Mr. Davitt says these are letters he wrote to the “New York Daily News,” which are copied into the “Irish World.”

Then the 11th of November:—

“ EVADING THE ISSUE.

“ Mr. James Mooney, of Buffalo, claims to have received the following telegram from Mr. Patrick Egan, in Paris. Reply to charges against Parliamentary party of having misappropriated large portions of the funds, the total amount paid during three years of expenses of members of Parliament is under 2,000,”

and so on. Then at the bottom of that:—

“ The libellous statement in the Dublin ‘Irish Times’ emanates from the notorious Richard Pigott.”

(*The Attorney-General.*) Pardon me, I think Mr. Patrick Egan’s statement should be read, if you are reading the article.

(*Sir C. Russell.*) I would rather read the whole of it.

(*Mr. Asquith.*)

“ EVADING THE ISSUE.

“ Mr. James Mooney, of Buffalo, claims to have received the following telegram from Mr. Patrick Egan, in Paris:—‘ Reply to charges against Parliamentary party of having misappropriated large portions of the funds, the total amount paid during three years of expenses of members of Parliament is under 2,000l., including expenses of Parnell’s and Dillon’s mission to America, O’Connor’s seven months’ American tour, and Healy’s four months; also the expenses of members in the service of the League in Ireland. The libellous statement in the Dublin ‘Irish Times’ emanates from the notorious Richard Pigott.’”

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[Continued.]

“ Now, we care nothing whatever for what Mr. Richard Pigott writes, or what the Dublin ‘ Irish Times ’ prints. We dismiss that man and that paper as unworthy of consideration. But what Mr. Parnell says with reference to the Land League funds cannot be dismissed. The question with us is, not whether the Parliamentary leaders misappropriated that money to ‘ their own private purposes,’ as was alleged in the ‘ Irish Times,’ but what Land League money, or a considerable portion of it, ‘ used to defray the election of members of Parliament?’ Mr. Parnell, if he is correctly reported, says yet, ‘ Heavy outlays’ from that fund were ‘ necessary to ensure the return’ of Parliamentary candidates. This admission is contained in a denial made by Mr. Parnell of the charges printed in the ‘ Irish Times.’ It is on this alleged statement of Mr. Parnell that we in last week’s ‘ Irish World,’ founded the justification of our censure. We have not as much faith in the wisdom and ability of Mr. Parnell as we once had. In the Parliamentary programme we have not and never did have any faith at all. But whilst we differ with the politician we desire to be just to the man. We have based nothing on statements emanating from inimical sources. The cablegram containing Mr. Parnell’s admission that Land League money has been used for Parliamentary elections we found in the New York ‘ Star,’ and that paper which professes to have entire confidence in the Parliamentary Party, accepted Mr. Parnell’s alleged statement as entirely satisfactory.”

“ As to the moneys paid to members of Parliament and others for services rendered to the Land League organisation, ‘ including the expenses of Parnell and Dillon’s mission to America, O’Connor’s seven months’ American tour, and ‘ Healy’s four months, also the expenses of members in the service of the League ‘ in Ireland,’ as to all that we have nothing at all to say. That is all right. But it is *not* right shake this presentation in the eyes of men, and shuffle the issue with a view to create a diversion from the ‘ heavy outlays’ drawn from the Land League Fund to elect parliamentary candidates.”

(*Sir C. Russell.*) Then the 11th of November: “ The Parliamentary Force.”

(*The President.*) Is it still the same date?

(*Sir C. Russell.*) Yes, the 11th November, my Lord.

“ THE PARLIAMENTARY FORCE.

“ It is sometimes said that parliamentary evolutions, if they did no other good, showed to the world the wrongs, the murders that have for centuries sat so heavily on Ireland. What showing did those wrongs want? What man so stupid, what nation so remote that they did not know enough about them already? Even before the great murder year of ‘ 47, the little murders were largely known. Often, even before that year, had the charity of the world been awakened to meet the periodical famines, the land-thief famines, and keep the people alive. And when the ‘ Forty-seven ’ itself came, did it not send a thrill through the world that never can be forgotten? No, no; the world required no speaking through Parliament to inform it on the subject.”

61,989. This is the same 11th November.

“ WHO FURNISHED THE MONEY ?

“ In all this Mr. Parnell’s effort was evidently not so much to reply to the slanders of English journals as to impress upon the Conference, and the Irish people, and the bulk of the Land League subscriptions in this country came from the rich and Conservative classes, who do not wish the Irish agitation to assume a form that would menace vested rights, and consequently that the American subscribers to the Land League fund would not be dissatisfied with a milk-and-water programme for the ringing demand, of the Land for the People, and would be content to follow the Parliamentary Party into Gladstone’s camp and to continue to supply the sinews of war for an agitation that has been diverted from the uprising of a great people into a mere Parliamentary stage play.

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“ Mr. Parnell is mistaken. We do not say that he misrepresents the movement
 “ on this side of the Atlantic, for we think he has misunderstood it, and that this
 “ misunderstanding has had a good deal to do with the adoption of the retro-
 “ gressive policy that has brought the great Land League movement to such an
 “ ignominious end. The Irish members of Parliament who unfortunately,
 “ have been able to concentrate into their hands the direction of the Land
 “ League and the disbursements of the funds contributed from America,
 “ have been deluded as to the real sources of the strength they controlled.
 “ They came to the United States and were greeted by vast audiences eager to
 “ applaud them. They saw on the platform politicians of all degrees who never
 “ had a radical idea on any subject. They were dined and wined by rich men
 “ who took the opportunity to express their hope that everything ‘ Socialistic ’
 “ should be kept out of the movement, and their fears that any arrangement of
 “ the right of private property in land would divert the sympathy from the cause
 “ of poor Ireland.”

Then on the same date, the 11th November, there is an article in the same sense. I will read one sentence from it :—

“ THE LATEST PARLIAMENTARY TREATY.

“ The Parliamentarians have a right to adopt what course they deem best to
 “ carry out their plan of campaign. In their character of Parliamentarians, what
 “ they do or fail to do at Westminster is we contend, of but little consequence.
 “ We have proved that Ireland can expect nothing from Parliament, and conse-
 “ quently it makes but very little difference whether or not the tactics of her
 “ representatives in the British Legislature are those of first-class politicians.”

(*The Attorney-General.*) Then, my Lords, in the same paper there is a long article of Mr. Davitt and three columns of report of the National Conference, giving Mr. Davitt’s and all the other speeches at the Conference in Dublin.

(*Sir C. Russell.*) Then, again, the 18th November there is an article :—

“ THE NEW PROGRAMME.

“ ‘ It is strictly constitutional and parliamentary.’ ”

“ Here is the programme that was put forward at the Dublin Conference.
 “ In our opinion it is—to use Lord Denman’s very hackneyed but very expressive
 “ words—‘ a mockery, a delusion, and a snare.’ A conference to be sure has not
 “ the authority of a national convention ; nevertheless, anything emanating from
 “ so respectable a body of men as were those who recently came together, on
 “ invitation, deserves to be considered respectfully. But did the programme
 “ really emanate from the conference ? The platform had been already shaped.”

And so on. That is condemnatory of the programme of the National League?—Undoubtedly.

(*The Attorney-General.*) I really cannot take that. The article will speak for itself.

(*Sir C. Russell.*) Well, well.

(*The President.*) That is Parnell’s opinion.

61,990. (*Sir C. Russell.*) Then I really must read it. It is headed “ The new programme,” and there is headed an extract from the “ Freeman’s Journal.” “ ‘ It is
 “ ‘ strictly constitutional and parliamentary.’ ” “ Here is the programme,”—does that refer to anything but the programme?—That refers to the programme of the National League, adopted at the Conference.

(*The Attorney-General.*) It then goes on to argue that it is not the real programme of the League.

(*Sir C. Russell.*) If there is anything else——

(*The Attorney-General.*) “ Did the programme really emanate from the Conference ” ?

(*Sir C. Russell.*) I read that, although I will read it again,—

“ A conference to be sure has not the authority of a national convention.”

(*The President.*) We have had all this before.

(*Sir C. Russell.*) Yes, my Lord, and the Attorney-General was complaining of my not reading it.

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(*The Attorney-General.*) You put a question.

(*Sir C. Russell.*) And I will put questions until my Lord says I have no right to do it.

61,991. Did that refer to and was it a condemnation of the programme adopted at Dublin Conference?—Undoubtedly.

Then on the 2nd of December :

“ THE PARLIAMENTARIANS.

“ It is regretted that Mr. Healy, for whom we have a feeling of respect, “ entertains the opinion that his position in the parliamentary party places him “ under the obligation of defending all that has been done, even the Kilmainham “ Treaty, which he characterises as ‘ one of the most sagacious arrangements that “ ‘ ever enabled a hard-pressed general to secure terms for his forces.’

“ The question that all patriotic Irishmen are called upon to solve just now “ is, Which is the best policy for Ireland to adopt? If Mr. Healy believes in “ keeping up the parliamentary sham, he is entitled to entertain that opinion. “ But at the same time he must be ready to concede to others the liberty of “ advocating different methods of helping Ireland.”

(*The Attorney-General.*) My Lord, I do not want to have to go back. On the same 18th there is a full report of Mr. Davitt’s speech.

(*Sir C. Russell.*) You said so.

(*The Attorney-General.*) No, I beg your pardon. Mr. Davitt’s speech at (I think it was) Longford—the full speech is set out.

(*Sir C. Russell.*) So far as Mr. Davitt is concerned, Mr. Davitt will answer for himself when he comes, as his name has been more than once put forward.

61,992. Mr. Davitt’s attitude upon the land question was considerably more advanced than yours?—Yes ; Mr. Davitt was not quite in accord with us at the time.

61,993. Mr. Davitt condemned, and I am afraid it must be said, truly condemned, the programme which spoke of 20 years’ purchase for buying out the Irish landlords, and thought that was a great deal too much?—Quite so.

61,994. And further than that, Mr. Davitt did believe in Mr. Henry George’s scheme of land nationalisation?—Undoubtedly.

61,995. And on this point you and he differed? Mr. Davitt was more advanced than you?—Yes.

61,996. Then the 9th December.

“ SAY ‘ YES ’ OR SAY ‘ NO.’

“ But we have cause to doubt the candour and straightforwardness of some of “ those Parliamentarians. And let us here tell you, gentlemen, that your little “ squibblings about this matter will not serve your purpose. The simple question “ for you to answer is : Did moneys from the Land League Fund go to defray “ Parliamentary elections? Say ‘ yes ’ or say ‘ No.’ We put this question to you “ before, and you have failed to answer. We did not care to repeat the question, “ but you yourselves have called it up, in a cloud of dust, and your skulking “ evasion of the issue only confirms the impression that the reason why you do “ not give a straight answer is because you are afraid to do so.”

On the 16th of November we have got this : “ Here commences a series of signed “ articles by P. Ford, attacking policy of moderation.” I have not got them before me. Then followed on the 16th of December a number of articles which I will not trouble your Lordship with. Then on the 30th of November :—

“ PARNELL’S SPEECH.

“ We do not think that Mr. Parnell is justified in pointing to the Arrears Act “ for the justification of his policy adopted by the Parliamentary Party. The “ Arrears Act is, in fact, as much a fraud as the Land Act, the ‘ benefits ’ of which “ Mr. Parnell tells us, it is impossible for the tenants to get for 25 years to come.

“ We shall be very much mistaken if Mr. Parnell succeed in rousing the “ Irish people to anything like enthusiasm by speeches like the one he delivered

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“ at Cork. The times requires much more vigorous measures than any he has
 “ hinted at, and unless these measures are adopted neither he nor any other man
 “ can succeed in creating the enthusiasm that but a few short months ago struck
 “ such terror into the landlords and the English Government.”

Was that speech referred to in Cork?—It was a speech of mine at the end of the session, in which I gave a history of what we had done during the session, and what we hoped to do in the future. I think the paragraph at the end of this article is evidently a censure upon me for refusing to countenance the change of policy in the direction of dynamite.

Now, that is in 1882, my Lord. Then in 1883, on the 13th of January :—

“ IS HOME RULE WITHIN THE RANGE OF PRACTICAL POLITICS.

“ How, then, is Home Rule to be obtained? If England will not even listen
 “ to the discussion of that question how are the Home Rulers to make headway
 “ in the manner, and by the means they propose adopting? As practical poli-
 “ ticians, it is incumbent on them to make answer to this question.

“ The Irish Nationalist who hopes to achieve Ireland’s independence by other
 “ means than those advocated by the Home Rulers, knows that England has
 “ resolved never to grant his country her rights. But the difference between the
 “ Irish Nationalist and the Home Ruler is that the former has a clearly defined
 “ notion as to the means by which England can be forced to abandon her resolve
 “ not to allow the Irish people to govern themselves. The Home Ruler, however,
 “ has no plan beyond Parliamentary agitation, which has been so often tried and
 “ has so often failed.”

Then the next is the 27th of January 1883 :—

“ BUYING IRISH LOYALTY WITH PEASANT PROPRIETARY.

* * * * *

“ It has been stated that by a nice arrangement between the Irish Parlia-
 “ mentarians and the English Cabinet the ‘ Irish World ’ should be kept out of
 “ Ireland, as its teachings are inimical to the projects of both. While we are
 “ slow to believe this of any party of our countrymen, we cannot shut our eyes to
 “ the plain fact that this journal is no less bitterly and openly assailed by the
 “ Irish Parliamentary party than by the English Cabinet. The ‘ Irish World ’
 “ came into existence for the purpose of waging war against the enemies of the
 “ Irish people, and it shall continue to prosecute its mission regardless of whether
 “ these enemies are foreign or domestic. ‘ Progress and Poverty,’ they have
 “ characterised as the text-book of wild theorists and the gospel of cosmopolitans,
 “ and therefore misleading, if not inimical to land reform and social progress in
 “ Ireland. It is well, however, for Ireland, and she recognises the fact, that all
 “ her brains and patriotism are not to be found in the ranks of her Parliamentary
 “ representatives.”

I do not know whether that brings me to the date or about the time that you had yourself (tell me if I am wrong) denounced the “ Irish World.” I think it was in the following month.

61,997. (*The Attorney-General.*) That same issue, my Lord, contains a speech of Mr. Davitt’s land meeting in England, all given at length?—Of course the “ Irish World ” knew long before I denounced it publicly that I was thoroughly opposed to what it was teaching. It understood that fact perfectly well.

(*Sir C. Russell.*) This is the 3rd of February, my Lord.

“ THE SITUATION IN IRELAND.

“ In the meantime the criminal withdrawal of the No Rent Manifesto has
 “ given the enemy a temporary advantage he is using in a way that is sure to
 “ produce results that will not be to the liking of the English Government.
 “ The time has gone by when Ireland can be safely terrorised into submission. If
 “ England persists in making the attempt, the law of self-defence will undoubtedly

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“ suggest to the Irish people ways and means of defending themselves that will
 “ make English rule in Ireland more difficult than it ever has been.”
 Then there is one I pass over. It is a suggestion of a conspiracy against Michael Davitt
 by members of the Parliamentary party. I do not propose to read that. But the
 effect of course would be to create divisions in the party?—Undoubtedly.

61,998. (*Sir C. Russell.*) The 10th February 1883 :—

“ CAUSE AND EFFECT.

“ Ireland is again threatened with a famine as the penalty for her lowering
 “ the No Rent banner. Whilst that banner floated men of the Irish race the
 “ world over saw in it the promise, aye, the pledge, that never again would our
 “ motherland be subject to the horrors of another famine.

“ But in an evil hour the spirit that had been evoked by the order not to pay
 “ the land-thief his immoral tax was crushed by a disgraceful retreat at the very
 “ moment when victory was within the grasp of the Irish people.

“ From that hour to this Ireland has been going from bad to worse. The
 “ Land League that had confronted the power of the British Government, and
 “ had gained victory after victory in its struggle with that power, has melted
 “ away. The enthusiasm that stirred millions of the Irish race on this side of
 “ the Atlantic, as they had never been stirred before, has been succeeded by
 “ apathy.”

Then the 24th February :—

“ WILL IRELAND BE AGAIN MISLED BY THE PARLIAMENTARY “ POLICY.

“ With the opening of Parliament the farce of trying to secure justice for
 “ Ireland in a foreign legislature will be again put upon the boards. For over
 “ eighty years Ireland has been knocking at the doors of Westminster, demanding
 “ that something be done to lessen the evils that have made her a beggar amidst
 “ the sisterhood of nations. It is not necessary to re-tell the way in which every
 “ such petition has been treated by the six hundred English legislators who make
 “ laws for the Irish people, as the story is too well known to need recounting. It
 “ suffices to say, *and it is admitted*, that never yet has anything been gained for
 “ Ireland by Parliamentary agitation pure and simple.

“ Let us hope that Irishmen have had enough of Parliamentary tomfoolery to
 “ convince them of the utter folly of trusting to a policy that never has
 “ accomplished anything for their country that could not have been done much
 “ better if there never had been any Parliamentary party. The Irish nation has
 “ more serious business before it than watching what may or may not be done in
 “ Westminster. If it neglects that business, and pins its faith to the Parliamentary
 “ agitation, famine with all its horrors will be, in a certain sense, a just punish-
 “ ment for this act of inexcusable folly.”

Then on the 24th March an article headed :—

“ PARNELL'S REPLY TO FORSTER.

“ We reprint substantially Mr. Parnell's recent speech in Parliament, made in
 “ reply to Mr. Forster.”

That is the speech, I think, of the 23rd February 1883?—Yes.

(*The Attorney-General.*) It is in, I think, I put it in.

61,999. (*Sir C. Russell.*) (*continuing reading*).

“ The telegraphic reference to that speech called out our warmest admiration
 “ for the independent position which the leader of the Irish Parliamentary party
 “ seemed to assume; but the reading of the speech itself in cold type, in the
 “ columns of the ‘Freeman's Journal,’ has produced in us a feeling of disap-
 “ pointment. It is not equal in spirit to what the cabled reference indicated.

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“ Notwithstanding an apparent disclaimer to the contrary, Mr. Parnell, in our judgment, pays too much deference entirely to English prejudice, and is painfully anxious to set himself right in English opinion respecting loose charges which have been brought against the Land League and himself. Boldness is oftentimes prudence. He is ‘apprehensive’ concerning the future relations between England and Ireland, and he hopes, or he professes to hope, that the good sense of Irishmen will come to the rescue and restore harmony to the two countries. We entertain no such fear, nor do we cherish any such delusive hope.

“ Mr. Parnell had something to say about the ‘Irish World.’ In reply to Mr. Forster, whose object it was to put a questionable face on the Irish movement, it was right and proper in Mr. Parnell to say that the ‘Irish World’ was not the official organ of the Land League. We, ourselves, denied that it was over and over again. The ‘Irish World’ is not, and never has been, the official organ of any party. It was an advocate of the Land League, not its mouth-piece. Our declaration of principles could not bind the Land League, and it is as unfair, as it is disingenuous, to try and make that organisation responsible for a policy which, as a matter of fact, it never adopted. Had Mr. Parnell contented himself with a qualified denial, such as we have here indicated, he would have answered all that was pertinent in Mr. Forster’s insinuations. But Mr. Parnell went beyond this. Of the wisdom or unwisdom of his reflections on the ‘Irish World’ made in the house of the enemy it is not for us to speak. The reader must form his own opinion in that matter.

“ But this is no time to sulk in our tents, or brood over personal wrongs. In war-times we must all expect to get some scratches. The question now is: How can we, each in his own way, be of service to Ireland.”

The next is the 14th :—

“ The Philadelphia Convention,”

This is the Convention to which you sent your telegram?—Yes.

62,000. Having been invited to attend, but being unable to attend?—Precisely,

62,001. And which you described as a very representative gathering?—Yes, I think I described it as a most representative gathering.

62,002. You now know the description of that Convention, and the number of delegates who attended—I think we have had the figures—some 1,200 delegates?—Yes, it was a very representative Convention beyond a doubt.

62,003. I may just ask you this, though I may have to come back to it again. We have heard a great deal about Mr. Finerty. I do not know whether you recollect Mr. Finerty and O’Donovan Rossa sought to obtain a hearing at your Convention.

62,004 (*The Attorney-General.*) I think it is rather suggestive, Sir Charles. Will you ask him what he does remember. He was not there?—I saw it so stated that they had attempted to obtain this hearing, and that they were not favourably received.

(*Sir C. Russell.*) It appears, my Lord, amongst other evidence in the evidence of the man Beach or Le Caron.

62,005. That Finerty and O’Donovan Rossa tried to obtain a hearing, and were put down?—Yes, Undoubtedly.

(*Sir C. Russell.*) The article of the 14th April says :—

“ Any representative meeting of Irish-Americans which undertakes to voice this opinion has a most important duty to discharge. It is, therefore, to be earnestly desired that the delegates to the Philadelphia Convention will weigh well the mighty issues they will be called upon to consider. One thing can be safely presumed, and that is, that every delegate will go to Philadelphia desiring to do all he can to help Ireland in the way that may seem best to him.

“ There will probably be at the Convention some advocates of Parliamentary agitation. They, of course, will have a right to make such defence of their views as they can. We, however, sincerely hope that the Convention will not fail to see the absurdity of asking Irish-Americans to pin their faith to a programme which can never be carried out until it has the approval of a majority of an alien legislature.”

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(*The Attorney-General.*) There are two or three other passages in that which certainly ought to be read. The extracts given do not follow consecutively at all. I will read it.

(*Sir C. Russell.*) Will you mind reading the whole article?

(*The Attorney-General.*) I will read it all:—

“ The English Government makes no attempt at disguising the alarm with which it views the increasing influence of the “ Greater Ireland ” that has been planted on this side of the Atlantic. The English press has repeatedly acknowledged that the Irish American hostility is the one thing that British rule in Ireland has to dread most. That hostility cannot be held in check by coercion laws passed by an alien Parliament. It is beyond the reach of British bayonets. Her Majesty’s loyal constabulary cannot choke it to death. No British dungeon opens its door to receive those who give expression to it.

“ Irish discontent, if it cannot be completely crushed out under the iron heel of despotism, can at least be held in check. The Clifford Lloyds and the Lawsons, assisted by packed juries and an army of police and soldiers, can be relied upon to do their best to carry out any tyrannical enactments of a foreign legislature that makes laws for the Irish people. In other words, England can count upon brute force in her work of holding the Irish people in subjection. In dealing with Irish Americans she has no such advantage, as we in this country are beyond the reach of Gladstone’s peculiar ‘ resources of civilisation,’ and for that reason are not hampered like our brothers in Ireland. Unlike them, we are at liberty not only to give free expression to our convictions, but to work for Ireland in the way that to us may seem best.

“ We are therefore, in a certain sense, pledged to take the most advanced position in Irish politics. England naturally looks to us to see what policy we may formulate, because she feels that there is every likelihood of Ireland following where we may lead. England knows that from this side of the Atlantic came the material as well as the moral support that made the late Land League so formidable a foe to British rule in Ireland. From these shores went also that cry of “ no rent ” that struck such terror into the landlord garrison.

“ With these examples of the influence exerted by Irish Americans on their brothers across the Atlantic staring her in the face it is not at all surprising that England anxiously watches to see what shape Irish-American opinion may assume.

“ Any representative meeting of Irish Americans which undertakes to voice this opinion has a most important duty to discharge. It is, therefore, to be earnestly desired that the delegates to the Philadelphia Convention will weigh well the mighty issues they will be called upon to consider. One thing can be safely presumed, and that is that every delegate will go to Philadelphia desiring to do all he can to help Ireland in the way that may seem best to him.

“ But purity of motive it is hardly necessary to say, does not always imply soundness of judgment. Men with the best intentions in the world often make fatal mistakes. It is, therefore, no impeachment of a man’s loyalty to a cause to question the advisability of adopting the means he may advocate to further that cause. We throw out this thought to the delegates to the Philadelphia Convention, in the interest of a spirit of mutual tolerance of diverging opinions.

“ The doctrine of Ireland’s right to a full and complete control of her own destinies is a common ground on which all the delegates can meet. In a convention of Irish-Americans there ought to be no room for the discussion of that question just as in a convention of the Democratic or Republican parties, no one would think of raising the question whether the Union ought or not to be preserved. Taking it for granted that Ireland’s right to self-government will be proclaimed at Philadelphia in no unequivocal terms, we desire to call attention to the necessity of the Convention suggesting some *practical plan* of making that proclamation good. To meet and resolve that Ireland ought of right to be free, and then go home without pointing out some feasible way of

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“ asserting that right would earn for the delegates the contempt of every earnest
 “ believer in the possibility of Irish independence.”

Then the passage comes which you have read.

“ There will probably be at the Convention some advocates of Parliamentary
 “ agitation. They, of course, will have a right to make such defence of their
 “ views as they can. We, however, sincerely hope that the Convention will not
 “ fail to see the absurdity of asking Irish-Americans to pin their faith to a
 “ programme which can never be carried out until it has the approval of a
 “ majority of an alien legislature.

“ It is time that men of the Irish race should learn the lesson of self-
 “ dependence. A lesson they will never learn if they continue to look to
 “ Parliament to obtain for their mother land the rights they can win for her by
 “ their own efforts.”

62,006. (*Sir C. Russell.*) Was the result of that Convention the adoption by the Convention of the programme of the National Conference in Dublin?—Undoubtedly.

62,007. I need hardly ask you (my Lords have had it before them), that was a purely constitutional and Parliamentary programme?—Without any limitation whatever.

62,008. Now on the 28th of April there is this:—

“ Is constitutional agitation the only way of helping Ireland? ”

(*The Attorney-General.*) The same “ Irish World,” my Lord, contains the portraits of Mr. and Mrs. Frank Byrne. The 14th of April 1883.

(*Sir C. Russell.*) Well, that is very interesting. Then the 28th of April:—

“ IS CONSTITUTIONAL AGITATION THE ONLY WAY OF HELPING IRELAND? ”

“ Our readers know that we do not believe that the land-thief’s return to
 “ power is by any means due to an untoward accident that could not be guarded
 “ against. At the beginning of last year he was so badly defeated that there
 “ was very little prospect of his ever recovering his lost position. But during the
 “ twelve months that have since elapsed many things have occurred that have
 “ revived his courage. The withdrawal of the No Rent Manifesto, followed as
 “ it was by the Kilmainham Treaty, was the first rift in the clouds that darkened
 “ his prospects.”

My Lord, I am passing over a great many.

(*The Attorney-General.*) There is part of the same article, Sir Charles, that you read which I should like. I am very sorry to trouble you.

“ If the destruction of landlordism be an important step towards accomplishing
 “ Ireland’s political independence (and we hold that it is) it will be folly to shut
 “ our eyes to the fact that this step has not been taken. The land thieves, we
 “ repeat, are as strong as ever, and that means that there is planted in Ireland a
 “ garrison that will leave nothing undone to perpetuate British rule.

“ The practical question that now presents itself is Which is the best way of
 “ getting rid of this garrison? There are some who think that this can be
 “ accomplished by a constitutional agitation. There are others who believe that
 “ neither landlordism nor British rule will ever be destroyed until England is
 “ convinced that their continuance will be a standing danger to her. Those in
 “ Ireland who are of this way of thinking cannot, of course, openly avow it, as
 “ that would be equivalent to treason. There is, however, no such restriction on
 “ Irish-Americans, who are at liberty to proclaim their honest opinions. What a
 “ convention of Irishmen convened in Dublin could not do, a convention of Irish-
 “ Americans assembled in Philadelphia can do.

“ There are, however, some self-constituted ‘ leaders,’ who have proclaimed in
 “ defence that the coming convention will not consider the question whether there
 “ are not ways of helping Ireland besides those that have the approval of the
 “ advocates of Parliamentary agitation. In other words, an Irish-American
 “ convention will not be at liberty to consider *all the means* by which Ireland’s

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“ battle can be fought. It remains to be seen whether the delegates to Philadelphia
 “ will consent to be muzzled in this way.

(*Sir C. Russell.*) Apparently they did. My friend, Sir Henry James, wishes me to read one I was passing over of the 12th May.

“ THE CONVENTION.

“ Conventions rarely, if ever, express the real sentiments of the people, for
 “ almost of necessity the manipulation of large bodies of men falls into the hands
 “ of a few who, clever in their peculiar ways of organising and controlling, are
 “ not infrequently more bent on having things run smoothly than in getting at
 “ the true voice of the constituencies, and the true voice of the Irish people to-day
 “ is, we believe, that any and every means are legitimate as against the horrible
 “ system that England has instituted to enslave the masses over which she holds
 “ sway.

“ It is a simple question of judiciousness—not of morality—even with those
 “ who are not so outspoken as to the methods of force to be employed. We say
 “ force advisedly, for long ago every thinking man gave up the hope of gaining
 “ the smallest modicum of Irish rights from England except by wringing them
 “ from her in some forcible manner.

“ 23rd June.

“ THE FUTURE OF THE IRISH QUESTION.

“ Unfortunately there were in the ranks of the late Land League some men
 “ who seemed to be incapable of appreciating at its true value the mighty power
 “ that was ranged on the side of the Irish cause. In an evil hour these men
 “ gained an ascendancy in the councils of the Land League, and from that moment
 “ a retrograde movement set in that finally ended in complete disaster.
 “ Landlordism that had been trampled in the dust raised its head again. British
 “ rule that was tottering to its fall made itself felt once more by inaugurating a
 “ reign of terror worse than any Ireland has witnessed for a century.”

(*The Attorney-General.*) The article begins with a statement of the work of the Land League. It really ought to have been read. I do not want you to stop to read it.

(*Sir C. Russell.*) By all means read it if you like, if you think it is important.

(*The Attorney-General.*) :—

“ It is hardly necessary to say that the present condition of Ireland is not
 “ calculated to inspire with enthusiasm those who three years ago thought they
 “ saw in the Land League movement the promise of Ireland’s redemption from
 “ the foreign rule that for centuries has crushed the life out of her. The defiant
 “ attitude of the people, coupled with the perfect organisation that extended to
 “ every part of the island, warranted the belief that England at last was brought
 “ face to face with an Irish movement that could not be bayoneted out of
 “ existence.

“ The world looked on in astonishment as day after day and month after
 “ month the Irish people bade successful defiance to the whole power of the
 “ British Government. At one time English law was virtually supplanted by
 “ Land League law. The land-thieves, amazed and terrified at the social revolution that without a note of warning had suddenly burst upon them, vainly called upon Parliament to do something to stem the rising tide that threatened to sweep away the last vestige of landlordism.

“ As victory after victory demonstrated what the Irish people could accomplish when united on a policy that appealed to both their patriotism and their self-interest, the hope grew stronger that out of this agitation there would rise a new Ireland redeemed from the social as well as the political evils of the past, an Ireland in which every man, woman, and child would be co-equal participants in the natural inheritance that our Heavenly Father has bestowed on the Irish nation.

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“ Whilst this hope remained it acted as an incentive not only to Irishmen in Ireland, but also to their brothers on this side of the Atlantic, knitting together the Irish race in bonds of close union and imparting to our motherland such strength as was never before at her command in any previous fight against England.”

Then your passage goes on.

(*Mr. Asquith.*) Then follows what I have read.

“ This disastrous termination of what promised to be the most successful of Irish movements can be traced to no other cause than to a lack of faith in the resources that were back of the Land League. The people of Ireland had proved themselves brave and loyal. When called on to make sacrifices they made them willingly. By their bearing during the whole agitation they showed that when summoned to stand by a programme worthy of their support, they could be relied upon. To attribute, then, the temporary victory of the English Government to the faint-heartedness of the Irish people would be doing an injustice to the latter. Up to the time when the fatal policy of compromise was inaugurated the people preserved in the presence of the enemy a defiant attitude that, if maintained for another twelve months, would have compelled the English Government to come to terms.”

(*The Attorney-General.*) :—

“ But to spend time bewailing the mistakes of the past would be of very little use to the Irish cause. Such lamentations will not make men take the necessary steps to remedy these mistakes. The practical question that now presents itself is, can Ireland be rescued from the clutches of the tyrannical power that is crushing the life out of her? We believe she can, if the proper methods are adopted to save her.

“ In our opinion two things are needed for the redemption of Ireland—first, the spreading of the light; second, the devising of ways and means of impressing upon England the conviction that it is neither profitable nor safe for her to continue in her devilish policy of repression. Now, it is well known that moral suasion has no effect with the English Government, as far as Ireland is concerned. The only way to infuse some sense of justice into England is to make use of the kind of arguments she can understand and is willing to listen to.

“ But, whilst plying England with these arguments, the work of teaching the Irish people their natural rights in connexion with the soil of their country should not be neglected. There are some Irishmen who seem to regard this work of secondary importance. They can appreciate the necessity of teaching England the danger she incurs by the course she has adopted towards Ireland, but they forget that the spread of the light has the tendency to manufacture public opinion in favour of the adoption of any means against a Government that persistently denies five millions of Irishmen the right of enjoying the full reward of the labour they expend on land that is theirs by every right.

“ Between those who believe in spreading the light, and those who propose fighting England by every means at their command, there ought to be no antagonism.”

62,009. (*Sir C. Russell.*) I had omitted to remind the Court that it was in reference to that Philadelphia Convention that you sent a telegram to that Convention of the 26th April 1883?—Yes.

62,010. In which the passage comes which I may remind their Lordships of :—

“ I would respectfully advise that your platform be so framed as to enable us to continue to accept help from America and at the same time avoid offering any pretext to the British Government for entirely suppressing the National movement in Ireland.”

62,011. Had it come in any way to your knowledge at that time that an effort was suggested as being likely to be made by the extreme party or extreme section in America?—I had no specific information about it, but I thought it likely that they

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might try to thrust their programme in upon our proceedings, and this was a warning against any such attempt.

62,012. You had, I presume, a general knowledge of these attacking articles in the "Irish world"?—Yes, I know of the change in the policy of the "Irish World" and of its new departure.

(*Sir C. Russell.*) Then the next is on the 30th of June 1883.

"THE LATEST PROP OF LANDLORDISM.

"The Tories, whose sympathy with the land thieves makes them keenly alive to this danger, have all of a sudden seen the importance of creating a peasant proprietary in Ireland. It is said that the Irish members of Parliament will help the Tories to carry out their programme of strengthening landlordism. We use the phrase 'strengthening landlordism' advisedly; for that is what this latest Tory movement means, as any one can readily see who stops to think that the greater the number who are interested in the perpetuation of any wrong the greater the chances are in its favour. If 10,000 Irish landlords cannot successfully resist the movement against landlordism, 600,000 may have better luck. So argue the Tories who, we must confess, are acting very sensibly in trying to swell the ranks of landlordism by enrolling new recruits.

"But whilst recognising the wisdom of the policy of the Tories what are we to think of Irish Parliamentarians who are ready to help on this scheme of strengthening landlordism? Of course, Irish farmers have votes, and the Irish politicians, like the politicians in all lands, believes that his first duty is to conciliate the good-will of those who have the power of making or unmaking him at the ballot-box. But as the fate of a nation is of much more importance than the political fortunes of a handful of Irish Parliamentarians, it is to be sincerely hoped that the Irish people will not be misled into supporting a measure whose real aim is to perpetuate landlordism and with it English rule in Ireland."

Then the next is the 21st July 1883. It is called:—

"A LIE AND A FRAUD.

It is complaining of the working of the Land Act. I do not propose to read it all.

"And here we want to call attention to the strange inconsistency those Irish Nationalists are guilty of who, whilst in the very act of denouncing the rule of the foreigner, defend with might and main a system of land tenure that would never have been known in their country if it had not been introduced by this same foreigner. We hope that Irish Nationalists who take a pride in their country and their country's history, will give the thought we here throw out some consideration, and if they cannot as yet approve the doctrines held by our fathers in reference to land, they will, at least, endeavour to treat with respect these doctrines, hallowed as they are, by having been transmitted to us from generations of Irishmen whose genius and valour made our motherland known and respected throughout the civilised world."

Then the next is the 11th August 1883, entitled "The No Rent Policy Vindicated," I do not read. That indicates, my Lord, the tone of the article. Then the 18th August 1883 I do not read. Then the next is the 1st of September 1883:—

"THE PARLIAMENTARY POLICY DOOMED TO DEFEAT.

"It is, indeed, a humiliating spectacle for any Irishman who possesses any pride in his country or his race to see the body of men who represent Ireland in the English Legislature, treated as if they were poor beggars, for whom any treatment was too good. Kicked out of Parliament, then, when taken back, snubbed, gagged and finally outvoted on all Irish questions by a brutal majority, who know as much, and care as little about Ireland as they do about Kamschakla—that is the history of the Irish Parliamentary Party for the last four or five years.

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“ If by submitting to these humiliations, Mr. Parnell and his associates had secured for their country any benefits that would have been impossible to obtain in any other way, it would only be fair to them to give them full credit for enduring all they have endured at the hands of the enemy. But, unfortunately, nothing has been gained by their submitting to be insulted by the foreign legislature that makes laws for their country.”

Then the next is the 29th September 1883, which I will not read, headed, “ The Cost of Surrendering—No Rent.” Then the next is the 6th of October 1883?—

“ THE MOST PRACTICAL WAY OF FIGHTING ENGLAND.

“ Is there any Irishman so stupid as to suppose that the English Government will swerve a hair's breadth from the path it has entered upon, because it will be moved to do so by the force of moral suasion? Why, the whole history of English rule in Ireland proclaims that if there is one thing that England holds in greater contempt than another, it is moral suasion.”

Then the next is the 13th October 1883.

“ THE OLD SPIRIT NOT DEAD IN IRELAND.”

That I pass over

Then the next is the 20th October 1883, an article headed:

“ IRELAND MUST BE QUIET.

“ Dublin, Oct. 5,—A meeting of Nationalists, which was announced to be held at Ennis, and at which Mr. Kenny, M.P. for Ennis, William O'Brien, M.P. for Mallow, and Mr. Biggar, M.P. for Cavan, were to speak, has been prohibited by the authorities.”

That is a quotation from a cable despatch. Then the article goes on:—

“ The custom of suppressing public meetings in Ireland has become so common of late, that it is now a regular thing for the Government to prevent Irishmen from holding any meeting that the Castle officials may suspect will express the honest sentiments of the Irish people. Under these circumstances, the attempt to conduct a constitutional agitation is the veriest farce.

* * * * *

“ Under this system, of what avail is any policy that proposes to persuade England by words to do justice to the Irish people? If she will not even permit Ireland's case to be stated whenever she can prevent it, is it at all likely that she will grant Ireland's demands?

“ But after the next election we hear some one say, We shall have in the House of Commons two members to the one we have now. Well, what of that? Have we not seen the whole Irish Parliamentary party unceremoniously kicked out of the House when the majority took it into their heads to do so? Is there any guarantee that the kicking process will not be repeated when the Irish Parliamentary ranks are increased by thirty or forty new recruits? What is there to prevent it from being done?

“ As long as the Parliamentary programme serves to divert the minds of the Irish people from the consideration of effective means of compelling the English Government to do justice to their country, England will permit the play to go on. The moment, however, it becomes dangerous, England will suppress it with as little hesitation as she is suppressing public meetings.”

Then the next is the 10th November 1883:

“ THE HOME RULE DELUSION.

“ An effort is being made to persuade the Irish people that they can obtain Home Rule by Parliamentary agitation.”

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[Continued.]

62,013. That was the effort, Mr. Parnell, which you were engaged upon?—Yes, undoubtedly.

62,014.

“ Those who are engaged in this business may be thoroughly sincere when they profess to believe that the Irish people can obtain self-government by the methods they propose. But whilst conceding their sincerity, we cannot help questioning their judgment.

“ To expect that England can ever be argued into granting to Ireland any measure of Home Rule that is worth accepting is a piece of folly that no Irishman will indulge in who has taken the pains to acquaint himself with English public opinion. No English statesman would dare to advocate Home Rule, for there is not one of them who does not know that such advocacy would mean political death.

* * * * *

“ Sanguine, indeed, must the Home Ruler be who entertains any such opinion. He must have closed his eyes to the fact that stares everyone in the face, or otherwise he would see that the policy of attempting to wring Home Rule from England by moral suasion is the wildest of delusions.”

Then the next is the 1st of December 1883.

(*The Attorney-General.*) That has got a letter from Michael Davitt too.

(*Sir C. Russell.*) Could not you reserve this till Michael Davitt comes? Then the 1st December.

“ GAGGING IRELAND.

“ Government by bayonets cannot always last. The time will come when England will be compelled to confess that she has been beaten in the game of intimidation. In the meantime the excesses committed by the Dublin Castle officials are preparing the way for the downfall of the power they are intended to prop up. These excesses are unanswerable arguments against the folly of believing that a constitutional agitation can persuade England to do justice to Ireland.”

Then on the 8th December there is another, which I do not trouble your Lordship to read. On the 22nd there is another, saying:—

“ We have no confidence in Parliamentary agitation.”

Now, my Lord, the 26th January 1884:—

“ ENGLAND AND MORAL SUASION.

“ There are some Irishmen who believe that Home Rule can be obtained for Ireland if sufficient pressure of the moral suasion kind can be brought to bear on the English Government. They argue that rather than be eternally bothered with the Irish question, England will grant to the Irish a Parliament of their own.

“ Irishmen who entertain this belief forget the teachings of history. England, where Ireland is concerned, has never yielded anything to persuasion. Words unaccompanied by deeds she despises, because she knows that words have no power to compel her to do what she does not want to do. Hence, though she may be annoyed by the doings of the Irish Members of Parliament, she does not propose to grant their demands because of this annoyance.”

“ Buckshot Forster faithfully expressed the English sentiment when, in a speech delivered in England the other day, he told his hearers that there was a grain of consolation for the English Government in the thought that it was much better to have such men as Mr. Healy and Mr. Biggar in Parliament than have them in Ireland, engaged in the work of exciting their countrymen to treasonable acts. In other words, England much prefers to have such native spirits in Parliament, because she feels she can more easily control them than she could if they were at work among their countrymen.

“ This has certainly the merit of frankness, and the Irish ought to be thankful to Lord Randolph for putting the case so plainly. When we consider that he

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“ expresses the sentiment of ninety-hundredths of his countrymen, we can form
 “ some estimate of the probability of obtaining Irish Home Rule by the methods
 “ advocated by those who believe that England will grant Ireland self-government
 “ if Parliamentary agitation is kept up long enough.

“ From an Irish standpoint Forster supplies a conclusive argument against
 “ Parliamentary agitation.

“ Another English politician, Lord Randolph Churchill, in a recent speech
 “ before an English audience, gave expression to this sentiment: ‘ Let the Irish
 “ ‘ know that though they cry day and night, though they vex you with much
 “ ‘ disorder, though they incessantly divert your attention from your own affairs,
 “ ‘ though they cause you all manner of trial and trouble, there is one thing you
 “ ‘ will detect at once in whatever form or guise it may be presented to you,
 “ ‘ there is one thing you will never listen to, there is one thing you will never
 “ ‘ yield to, and that is their demand for an Irish Parliament; and that to their
 “ ‘ yells for the repeal of the Union you answer with an unchanging, an unchange-
 “ ‘ able, an unanimous “ No.” ’ ”

“ The English people, as long as the Irish confine themselves to ‘ yells for
 “ ‘ the repeal of the Union,’ will act upon Lord Randolph Churchill’s advice, and
 “ will answer all such yells ‘ with an unchanging, an unchangeable, an unanimous
 “ ‘ No.’ If, however, the ‘ yells ’ give place to deeds, England will soon learn to
 “ appreciate the broad distinction existing between being annoyed and being
 “ hurt. Then the ‘ unchanging, the unchangeable, the unanimous No ’ will be
 “ converted into the ready ‘ Yes.’ ”

Then on the 1st of March :—

“ TOLERATION AMONG IRISHMEN.

“ But whatever may be said in favour of the Parliamentary programme, this
 “ at least is self-evident, that it ought not to dominate the entire range of Irish
 “ affairs. We are told that the Parliamentarians must be cautious. We are told
 “ that, however they may feel in their souls, they are obliged to be guarded in their
 “ utterances and pursue a moderate policy. Very well ! Let this be granted, and
 “ what does it prove ? It proves that the Irish Parliamentarians are not free
 “ agents. But it does not follow that because the *cloture* is on their mouths that
 “ nothing ought to be said outside, or that because their hands are tied all others
 “ ought to abstain from action. Neither does it follow that the Parliamentary
 “ programme ought to be entirely discarded because it cannot accomplish
 “ everything.”

Then, on the 29th March, an article upon the extended franchise in Ireland, which I do
 not read. Then, on the 12th April, an article headed :—

“ WHO SHALL SAVE IRELAND ?

“ What this perishing race needs to save it, if it is not to be utterly exter-
 “ minated, is men who are prepared to sacrifice themselves that the nation may
 “ live; men who look upon the cause of Ireland as sacred, and who will do
 “ nothing from base motives to tarnish it, but will do all things for its success;
 “ men who are not afraid of the parrot-cry, ‘ Irish outrages.’

* * * * *

“ These are the men who must rescue Irish nationality, and solve the land
 “ problem. The men who pipe in the English Parliament cannot do it. The
 “ rogues who are really in accord with the English land-thief system, but for
 “ policy mouth against landlordism, and pretend to denounce the landlord
 “ rack-renter, but who are dumb dogs in the sight of the farmer who mercilessly
 “ exacts three and four rents from the Irish labourer—*they* cannot do it. No, no;
 “ Ireland wants men who will speak the saving truth whatever may be the
 “ consequence. Let who will be the politicians, such men alone are fit to be the
 “ prophets, and for men of action Ireland wants those who will not look to
 “ English courts of justice nor to Anglo-Irish lawyers to wipe away the glory of
 “ their lives. She wants men who will know how to do their work, *and who then*

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“ *will know how to die.* Has Ireland such men? If she has she is saved. Before
 “ a hundred such wills operating incessantly against the enemy—men, we say, who
 “ are willing to pay the *full price*—English domination, with its attendant evils
 “ and consequential villanies, will have disappeared from Irish soil in less than
 “ three years. To aid every such man while living and acting, to glorify his
 “ memory when he has passed away, and to take care of those dependent upon
 “ him, the Emergency Fund was originated.

“ PATRICK FORD.”

Then on the 26th April :—

“ HOW IRISH M.P.'S ARE GAGGED.

Then after explaining that it says—

“ Under these adverse conditions how can you expect the Irish Members to do
 “ any substantial good for Ireland in Parliament? You might as well tie the
 “ arms of a small man and push him into a twenty-four foot ring and expect him
 “ in that state to not only defend himself from a champion pugilist but to defeat
 “ him.”

Then on the 10th May 1884 :—

“ THE ‘HOME RULE’ DELUSION.

“ England will never grant Ireland a Parliament that will have authority to
 “ arm the people. It is very doubtful if England will grant Ireland a Parliament
 “ with absolute authority over anything.

* * * * *

“ And yet there are Irish puppies who will get up in the English Parliament,
 “ and in the presence of the ‘Six Hundred Scoundrels’ denounce the ‘outrages’
 “ of the Irish Wolf Dog who wants to save the remnants of this outraged
 “ race!

“ Yes Cromwell will come again; and so, perhaps, will Joe Brady! Mean-
 “ while other good Irishmen will be working in England.”

Then on the 24th May :—

“ A CANDID AVOWAL.

“ Irishmen might well despair for the national cause if there were no pro-
 “ gramme before them but that of the Parliamentarians.”

Then on the 31st May :—

“ AN INSTRUCTIVE PARLIAMENTARY INCIDENT.

(I do not know what the incident is. They refer to some incident which is not men-
 tioned, but it says) :—

“ Yet there are Irishmen who would have the cause of Ireland fought out in
 “ the British Parliament. Such Irishmen are undoubtedly sincere. But granting
 “ their sincerity, what are we to think of their judgment?”

Then the next is again an article in favour of Mr. Davitt. The next is the 26th Sep-
 tember, headed—

“ GLADSTONE'S SUGGESTIVE CONFESSION.

“ English newspapers are, however, not alone in their attacks on Gladstone
 “ on account of his admission about the efficacy of the methods that sensible and
 “ earnest Nationalists advocate. Some of the Irish Parliamentarians are also
 “ pitching into him because of this admission. Mr. Healy, M.P., for instance,
 “ taking as a text for a speech what Gladstone said as to his knowledge of Ireland
 “ prior to 1880, denounces England for her refusal to grant to constitutional
 “ agitation what she afterwards yielded to ‘crime and violence.’ Whether

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“ Mr. Healy characterised the efforts of his countrymen who fought England in
 “ the only way she can be successfully fought as ‘crime and violence,’ we are
 “ unable to say. We only quote from his speech as reported by cable. Mr. Healy,
 “ however, in denouncing England for conceding so little to constitutional agita-
 “ tion, ought to see that his denunciations will tell more against the Parliamentary
 “ Party than against England.

“ *Parliamentarians profess to believe that by constitutional agitation England can*
 “ *be brought to concede justice to Ireland. Not only do they preach this doctrine, but*
 “ *of late years they have shown a disposition to muzzle every Irishmen who does not*
 “ *believe as they do. Indeed, so far has this kind of political despotism gone that*
 “ the Parliamentarians make a profession of faith in constitutional agitation, a
 “ test of an Irishman’s devotion to Ireland. Yet Gladstone tells us in so many
 “ words that constitution agitation did so little for Ireland that he and other
 “ leaders of English public opinion knew little and cared less about Ireland’s
 “ demands. It was only when constitutional agitation was superseded by a
 “ vigorous use of methods that Parliamentarians now condemn, that these demands
 “ were listened to, Yet, in the face of this, the Irish Parliamentary party wish to
 “ persuade Irishmen that England can be made to modify her tyrannical rule of
 “ constitutional agitation is kept up. It is hard to believe that the Irish members
 “ of Parliament place any faith in their own professions. We certainly don’t see
 “ how Mr. Healy, for instance, can continue to exhort the Irish people to have
 “ faith in a policy that his comments on Gladstone’s speech show he knows to be
 “ unproductive of any good results.

“ Fortunately, however, for the future of Ireland the teachings of Mr. Healy
 “ and his fellow Parliamentarians have not as yet succeeded in making the Irish
 “ race at home and abroad forget the fact that England must first be hurt, or at
 “ least feel she is in danger of being hurt, before she will do anything in the way
 “ of mitigating her tyranny. For this reason we do not despair of the future.
 “ It has been said that revolutions in our day travel very fast. So that when the
 “ active forces enlisted in Ireland’s cause do take the field we may look for speedy
 “ results. The active forces we speak of are already rapidly organising, and con-
 “ sequently no one can foretell what a year may bring forth. To help these
 “ brave spirits in all ways that are possible is the duty of the hour, a duty that
 “ is made more incumbent upon us by the fact that the parliamentary party is
 “ doing its best to make Ireland confide in a policy that Gladstone has indirectly
 “ affirmed to be utterly useless in persuading England to abandon her evil
 “ courses.”

The next is the 6th December 1883.

“ PROPOSED REDUCTION IN THE NUMBER OF IRISH M.P.’S.

“ It will be absurd for Ireland to express indignation over the reduction in
 “ the number of her representatives in the British Parliament. She ought by this
 “ time to thoroughly understand that in England’s estimation she occupies the
 “ position of a conquered country which is another way of saying that she will
 “ have to put up with any treatment she receives from the English Government
 “ as long as she consents to fight England in a way that must always give England
 “ the advantage.”

“ The reduction of the number of Ireland’s representatives from 103 to 98 is,
 “ we repeat, of no practical consequence to the Irish people who can never hope
 “ to obtain any substantial benefits from their country by Parliamentary agitation.
 “ Instead of doing harm, the reduction will be the cause of positive good, if it
 “ helps to impress upon Irishmen the lesson that it is useless for them to expect
 “ any good for Ireland as long as they confine their efforts to Parliamentary
 “ agitation. That lesson, once well learnt, the rest will naturally follow. With
 “ all hope in the Parliamentary programme dead, the energies of the Irish people
 “ will be directed into channels in which they will be productive of results that
 “ will make England thoroughly realise that her safety depends upon her doing
 “ justice to Ireland.”

(Sir C. Russell.) Then, my Lord, the next is the 7th March 1885.

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[Continued.]

WHAT THE EXPULSION OF MR. O'BRIEN TEACHES

is the heading of the article.

"The argument that has been frequently used against the plan of trying to induce England into doing justice to Ireland by parliamentary agitation, is, that every such effort is doomed to failure, if England makes up her mind, not to grant the concession demanded. In the alien legislature in which, according to the parliamentary plan, Ireland's battle is to be fought out, the enemy far outnumber the few Irishmen who try conclusions with him. Under such conditions it is easy to foresee what the result must be. Irish Parliamentarians can always be over-borne by sheer weight of numbers. It only requires the English members to make up their minds to squelch them and they are squelched forthwith.

* * * * *

"There is, however, one consoling thought, and that is, Ireland does not place all her hopes on the successful carrying out of the Parliamentary programme. While she is willing to accept any infinitesimal instalments of justice that may be procured through the efforts of the Parliamentarians, she looks confidently in another direction for the full fruition of the hopes she has cherished for so many centuries."

62,015. (*Sir C. Russell.*) Is the tone and substance of that series of articles with which the Court has been troubled, diametrically opposed to your policy and discounting the value of your policy of Parliamentary agitation?—Yes, the general tendency of the majority of those articles seems to be an attack upon our policy, party, and action in the House of Commons and in Ireland, after the release from Kilmainham and an attempt to supplant us in America to deprive us of subscriptions or support in America with the object of inducing the Irish people of America to adopt the dynamite and the physical force policy.

62,016. You have told us that this series of articles had at first some effect?—Yes, it had, a distracting effect.

62,017. But ultimately the bulk of the Irish-American people supported your movement?—Came round to us.

62,018. And ultimately, as we also know in 1885, and still more markedly in 1886, as we have seen from articles already read, when what is known as the policy of conciliation is proposed, the world itself came round?—Yes, and the dynamite policy ceased to exist. When coercion was not renewed by Lord Carnarvon's Government—Lord Salisbury's Government in the autumn of 1885, the dynamite policy seems to have entirely disappeared.

62,019. I should like to emphasise, as we are getting to the end of the day, one point. You recollect the history of the Chicago Convention in 1886 after the rejection of Mr. Gladstone's policy of conciliation?—Yes.

62,020. I must ask you whatever public speakers in America, or in Ireland, Irishmen and others, may have said, rhetorically or otherwise, was that policy endorsed by 99 per cent. of the Irish race?—I believe that the policy——

(*The Attorney-General.*) One moment, Mr. Parnell. please. This is something put in re-examination. He was not there. If there are documents which speak they speak for themselves. We cannot have this endorsement.

(*Sir C. Russell.*) We have it in the report of the Convention itself.

(*The President.*) The observation to be made upon it is that it is only a statement of Mr. Parnell's opinion; it is not exactly in the nature of evidence, but it is scarcely worth while to object to it.

62,021. (*Sir C. Russell.*) Is that so?—Yes, I believe Mr. Gladstone's offer was accepted *bonâ fide* and thoroughly by all the Irish race representing the national opinions throughout the world, both in America and Australia.

62,022. Now as regards the "Irishman" newspaper, I have two questions to ask you before the Court rises. You have said in answer to the Attorney-General that you yourself did not know that the "Irishman" newspaper was being carried on so long as it in fact was?—I did not, I thought it had ceased to exist about the end of 1882.

62,023. You originally committed the error of saying, I think, it was edited by Mr. William O'Brien; you conceded that?—I thought so at the time, yes.

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[Continued.]

62,024. Had the "Irishman" during the time of Pigott's ownership or during the time that it was carried on, after you and others representing the Land League acquired it, any considerable, or merely an obscure, circulation?

(*The Attorney-General.*) Do you know, Mr. Parnell? I respectfully submit when he says he knows nothing about the paper it is scarcely fair to put the extent of its circulation to Mr. Parnell.

(*The President.*) Mr. Parnell expressed himself as being in ignorance.

(*Sir C. Russell.*) Yes, but I should have thought that would be one reason why he might be able to say——

(*The President.*) Well, I do not know.

(*The Witness.*) Mr. O'Brien told me in 1882 that it had a very limited and insignificant circulation, and that it was not worth while to keep it going. I should think the circulation of the "Irishman" never exceeded two or three thousand a week, whereas that of "United Ireland" often went up to 100,000 or 80,000.

62,025. (*The President.*) Well, 2,000 a week, if it be objectionable, may do a good deal of mischief?—Undoubtedly.

62,026. (*Sir C. Russell.*) My Lord, that is not my point. Formerly the "Irishman" had a reputation; it was formerly owned by Mr. Denis Holland?—In the old times the "Irishman" had a very great reputation as a Nationalist journal, owned, and, I think——

62,027. And was afterwards edited by Mr. P. J. Smyth?—Yes, it has been edited by some distinguished men in Irish life.

62,028. He was afterwards a member of Parliament?—Yes.

62,029. I think Mr. P. J. Smyth was concerned in the movement of 1848, was he not?—Yes, he was a very brilliant speaker, and a man who was very well considered by all parties in the House of Commons.

Adjourned till to-morrow at 10.30.

“ *Uncorrected Proof.* ”

SPECIAL COMMISSION ACT, 1888.

ROYAL COURTS OF JUSTICE,
PROBATE COURT, No. 1,
Wednesday, 8th May 1889.

MR. CHARLES STEWART PARNELL recalled, further re-examined by Sir CHARLES RUSSELL.

62,030. You were asked by the Attorney-General a good many questions about people whom you met in America, and what you knew about those people?—Yes.

62,031. I suppose I may take it you know a great deal more about them now, and about the condition of parties than you did in 1879 and 1880?—I do, considerably more.

62,032. Have you had extracted from the papers—had prepared for you an account of the people you did meet as reception committees, and as chairman of your meetings and so forth?—Yes.

(*Sir C. Russell.*) Now, my Lords, I am very loath to cumber the notes, but as these questions have been asked by the Attorney-General, I am afraid I must at least put the matter to Mr. Parnell.

(*The President.*) I think you made mention of a great number of persons in your speech, Sir Charles.

(*Sir C. Russell.*) I did, my Lord.

(*The President.*) Of course, from your point of view, you are entitled to show who they were, but I am sure you will use the utmost discretion in the amount of extracts you read.

(*Sir C. Russell.*) My Lord, I will, and if I might hand a copy of this *précis* to the Attorney-General, we may agree to it, and thus save time.

62,032a. (*The Attorney-General.*) I have no objection to that, and I am very much obliged for my learned friend's assistance; but I must ask whether this was prepared by Mr. Parnell himself; otherwise we must have the gentleman who prepared it?—It was prepared from original records.

62,033. Is it prepared by yourself?—I believe the one containing a few selected names—the short account is prepared by myself.

(*Sir C. Russell.*) One is prepared by himself and the other has been gone over by him.

(*The Attorney-General.*) Will you give me a copy. [*A copy was handed to the Attorney-General.*]

(*Sir C. Russell.*) You arrived in the *Scythia*, and I think the steamer was boarded by the reception committee.

(*The Attorney-General.*) I must respectfully submit that this is not what should be put in this shape, namely, a narrative statement not giving in any shape or form a reference to the paper from which it is taken. It was said to be some extract or the result of an examination from the original records. What is handed to me is a *précis*, a story in the nature of what happened, but giving me no means of checking it. I venture to think it is not in a form that makes it admissible.

(*Sir C. Russell.*) Then I must ask the questions. I was doing it for brevity. It shall be done as shortly as possible.

(*The Attorney-General.*) It can scarcely be fair to put upon me what Mr. Parnell said just now that this is a record of original documents when there is no record and the original documents by which I can check the statements are not mentioned.

(*The President.*) That is so. You had better fill it up in the ordinary way by question and answer. You will always remember it is merely to produce the general effect, namely, that he associated with persons of distinction and influence.

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[Continued.]

62,033a. (*Sir C. Russell.*) And representatives of all classes in America?—I am anxious your Lordships should see the men who were prominently associated with me and my greeting at the various meetings, as the statement has been made that they were exclusively members of the Clan-na-Gael.

(*The President.*) I have already explained.

(*Sir C. Russell.*) Just attend to me, and I will put the questions.

62,033b. Was the steamer boarded, upon your arrival at New York, by the reception committee, consisting, amongst others, of John E. Develin?

(*The Attorney-General.*) With great respect, my learned friend suggests the names of these gentlemen. We have got a complete list of the committee in the "Irish World." What my friend is doing is picking out certain names from that committee. I have not the smallest objection to the whole extract going in, but I suggest, in re-examination, my friend is not entitled to pick out certain names and get them upon the notes.

(*Sir C. Russell.*) This is exactly what the Attorney-General has been doing—namely the very thing he is objecting to now. He has picked out certain names, and got them upon the notes. I was going to show that they were representative men, and men of influence.

(*The President.*) Now you propose to show there were others.

62,034. (*Sir C. Russell.*) Do you recollect whether, amongst others, there were John E. Develin, Rev. Harry C. Macdowal, William E. Robinson, General MacMahon, and others?—Yes; the reception committee consisted of 300 members, including the leading merchants of New York City, the leading lawyers, distinguished judges, representative citizens of every position, Presbyterian ministers, and some Germans.

62,035. The first meeting you addressed was in Maddison Square Gardens on January 4th?—Yes, Judge Alker called the meeting to order.

62,036. Try and follow me; Judge Gildersleeve was in the chair?—Yes.

62,037. Was that a meeting composed of a very large number of persons?—It was a very large meeting. The proceeds of that meeting amounted to 1,500*l.*, and I forwarded them immediately after receipt to the Land League Relief Committee in Dublin for the relief of distress.

62,038. That meeting was "called to order," which is the American phrase, I believe, by Judge Alker of the Marine Court?—Yes.

62,039. And the chair was taken by Judge Henry A. Gildersleeve?—Yes, precisely.

62,040. Amongst the persons who accompanied you on the platform were Mr. Thurlow?—Mr. Thurlow Weed.

62,041. Amongst other people?—Yes.

62,042. Was that or not a representative meeting of the leading citizens of New York?—It was a most representative meeting of the leading citizens of New York.

62,043. It was at that meeting that the speech was made, that has been already read?—Yes, and the "New York World" found fault with the composition of the various committees.

62,044. (*The Attorney-General.*) Where is the extract of the "New York World"?—You will find it in the "New York World." I shall be glad to search for it and hand it you.

(*Sir C. Russell.*) If you will produce the "Irish World" you will find it there.

(*The Attorney-General.*) What date?

62,045. (*Sir C. Russell.*) Following the 4th of January?—They found fault with the composition of the committees as reactionary.

62,046. As not being sufficiently advanced?—As not being sufficiently advanced.

62,047. It was that speech you heard read; I am only going to cite one expression. After the meeting was addressed by letter by Mr. Kavanagh, an Irish landlord, in which he spoke as to the application of the money to be raised. He then goes on to say—that is Mr. Kavanagh goes on to say—

(*The Attorney-General.*) What is this taken from?

(*Sir C. Russell.*) It is the speech in Madison Square which has been put in and read and referred to, I do not know how often; and then he goes on to say—that is Mr. Kavanagh goes on to say—that "none of it will go to the relief of distress, and "that we propose to organise an armed rebellion with it. Well, I have no doubt," you

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[Continued.]

go on to say, "that my fellow-countrymen in this country"—that is in America—"would like to organise an armed rebellion—(great cheers)—but I regret to disappoint them also, because I must in truth and honesty tell you that, however unpopular such a statement may be, not one cent. of their money contributed and handed to us will go towards organising an armed rebellion in Ireland"?—That speech is correctly reported.

62,048. That is your first speech?—That is my first speech in America.

(*Sir C. Russell.*) Now, my Lord, the Attorney-General asked for a reference to the "Irish World." It is the "Irish World" of the 17th of January 1880. It is at page 3888.

62,049. Did you in any speech in America swerve one hair's breadth from that announcement which you made in your first speech in America?—Certainly not. I never led anybody to believe, directly or indirectly, that any of our money would be used for any other purpose than for charitable purposes and the legitimate organisation of the Land League.

62,050. I may just get this point. Altogether of your speeches—I state it subject to correction, I think I am right—there has been criticism in part of some five or six?—I think about four or five speeches in America have been criticised, and two or three in Ireland.

62,051. Altogether about the number I say?—Yes, isolated passages in these four or five speeches have been criticised.

62,052. Now in America alone you spoke at some 60 meetings?—I must have delivered 60 speeches at the various places besides smaller speeches delivered to the gatherings of the citizens who came down to see me at the train as it was passing through the smaller places.

62,053. And if to the number of American speeches were added your speeches in Ireland I suppose they would reckon up a great many hundreds?—I suppose that through the agitation there would have been from about 60 to 100 speeches in Ireland.

62,054. In Ireland—I said your speeches altogether, and there were more in Ireland and some in the House?—My speeches in the House of course, and in Great Britain, and in this country would tot up to about 300, I should think, my set speeches, as to these subjects.

62,055. And of this the number that you have mentioned were in part criticised?—I think two or three in Ireland have been criticised, in passages: and four or five in America.

62,056. You told us the reception committee consisted of about 300, and included, I think you said, judges, senators, and merchants. Did it also include ministers of religion of different denominations?—Yes, of various denominations, Presbyterians, and so forth.

62,057. And of different nationalities?—And of different nationalities.

62,058. Now at Newark, which comes next in date, were you escorted to the opera house where the meeting was held by three American military companies?—Yes.

62,059. Were they the State troops?—They were either the State or the Municipal troops—the militia.

62,060. And I think—just tell me if this is right—that amongst those present were the President of the Board of Trade?—Yes, Mr. George B. Jenkinson, President of the Board of Trade.

62,061. Vicar-General G. H. Doane?—Yes.

62,062. Colonel James E. Flemming?—Yes.

62,063. And several Protestant and Roman Catholic clergymen,?—Several Protestant and Roman Catholic clergymen, and many prominent citizens of Newark, whom I could give you a list of, if you wish.

62,064. The chairman was the Rev. Dr. J. E. Forester?—Yes.

62,065. Was he a Catholic?—No, I think not; I think he must have been a Protestant clergyman.

62,066. Your next meeting was at Jersey city on the 8th of January?—Yes, Jersey City.

62,067. You were escorted by a procession of Irish societies of the Ancient Order of Hibernians?—Yes.

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[Continued.]

62,068. And a detachment of the 9th Regiment?—Yes.

62,069. And, I think, the Municipal Board of Jersey City arrived in state in their carriages?—Yes, the municipal body escorted us to the meeting—that would be the Corporation or the body answering to that here.

62,070. And the chairman was the Hon. Robert Gilchrist, was he not?—The chairman was the Hon. Robert Gilchrist.

62,071. And letters of sympathy, approving the object of the meeting, were read from Governor McClellan?—Yes, Governor McClellan, of the State of New York.

62,072. And the Hon. Joel Parkes, and others?—Yes,

62,073. You were also introduced to the Stock Exchange in Wall Street by the President of the Stock Exchange?—Yes, the President of the Stock Exchange was kind enough to allow me to address them, and I was introduced by the President, and received a very favourable reception from the brokers—about 500.

62,074. I may mention it in passing, the address for the Relief fund was prepared by Mr. Develin, whose position you have already described, and who was made the secretary to the movement?—Yes, I should like that address to be put in.

(*Sir C. Russell.*) I think, my Lord, it has been put in. I rather think I read it.

(*The President.*) I do not remember it being read.

62,075. (*Sir C. Russell.*) The next meeting was in Brooklyn. The mayor of Brooklyn was Mayor Howell, who took the chair?—Yes, the mayor of Brooklyn, Mayor Howell, was in the chair.

62,076. And the District-Attorney Tenney called the meeting to order, whatever that phrase may mean?—Yes, District-Attorney Tenney called the meeting to order.

62,077. Amongst others who spoke was the Rev. Henry Ward Beecher?—Yes, the Rev. Henry Ward Beecher made a speech strongly in support of our movement.

62,078. I do not really want to dwell on it longer than I can help?—And he was kind enough to entertain me at his house during my visit to Brooklyn.

62,079. There was a clergyman whose name some of their Lordships will know, the Rev. Dr. Talmage?—He wrote approving of the objects of the meeting—the Rev. Dr. Talmage.

62,080. The next was Philadelphia, 10th January. The meeting was held at the Academy of Music?—Yes, the largest theatre in the world next to the Lo Scolo at Milan.

62,081. Tell us who were there?—The best citizens of Philadelphia were there—clergymen, judges, professional men, lawyers, distinguished officers, journalists. There were two ex-governors of Pennsylvania, including Andrew G. Curtin, the great war governor of Pennsylvania, who was a United States Minister for some years at St. Petersburg. He was present at the meeting; General Robert Patterson, a distinguished orator; Daniel Dougherty, Dr. Dougherty, the Rev. Robert Ellis Thompson; he was a Presbyterian clergyman and Professor of Social Science in the University of Pennsylvania; Henry Carey Bird, publisher; one of the leading bookselling firms of America, which has a peculiar history.

62,082. A firm founded by some provision from General Lafayette?—Yes; by General Lafayette. John Shedden, one of the originators of the Homestead Bill; Mr. P. Quinn, treasurer of the Beneficial Savings Fund; the Judge of the Orphans' Court, and many other distinguished men.

62,083. I think you afterwards accompanied Governor Curtin, General Patterson, and Colonel Maclure to a reception?—Yes. I afterwards accompanied them to a reception, where I was introduced to many of the most prominent citizens. I prepared these myself personally from original documents.

62,084. Letters were also received from the Hon. S. Randall?

(*The President.*) Do you think it necessary in the interest of your case to go through the whole of this?

(*Sir C. Russell.*) I should not have thought it necessary, my Lord, but for the Attorney-General's cross-examination.

(*The President.*) What I meant to hint was, it might be met by a general statement, of which you have given instances.

(*Sir C. Russell.*) I should have thought so; I will endeavour to defer to your Lordship's view, but my friends must not complain if I put it generally.

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[Continued.]

62,085. On that occasion there were letters of sympathy in support from the Hon. R. Randall?—Yes, the Speaker of the House of Representatives, and from Mr. Childs, the editor of the "Public Leger," who sent us a cheque for 1,000 dollars.

62,086. Now at Boston; I will take it very shortly. Will it be true to say that was equally representative?—Equally representative. The Boston meeting was organised by the Hon. P. A. Collins, who afterwards became the first President of the Land League in America; and it was at that meeting that Mr. Wendell Phillips spoke.

62,087. That is interesting in passing?—The Mayor of the city was in the chair.

62,088. The next was at Lawrence, Massachusetts, on the 16th of January, Mayor Simpson presiding?—Yes, Mayor Simpson presided at that meeting, and was very possibly chairman of the reception committee.

62,089. And at Providence on the 17th?—The Mayor of the town also at Lynn. Mayor Saunderson presided at Providence on the 17th, the Mayor of the city, Mayor Doyle, also presided.

62,090. And Mayor Howard was there?—Yes, the late Governor of the State of Rhode Island was present at the meeting, on the platform.

62,091. I think you were called upon at Boston on the 18th, at the club?—Yes, at Boston, on the 18th.

62,092. And was invited by the Associated Bar of Boston?—Yes, I was invited by the Associated Bar of Boston to dinner, but was obliged to decline it.

62,093. When did you get to Chicago?—About the 17th or 16th.

62,094. Who were the prominent people who met you there. I have not got it. I think it is omitted?—I think I have got it somewhere.

62,095. It is just as well, as you recollect; who were the prominent people who composed the committee; was that a representative committee?—Yes, a very representative reception committee.

62,096. Passing over the others very rapidly, at Indianapolis the Governor Williams, of the State of Indiana, I think, was present?—Yes, he was chairman of the reception committee.

62,097. And he also presided and spoke at the meeting at the Opera House?—Oh, it is that meeting. Mayor Cavan, of Indianapolis, was in the chair.

62,098. I wish to get it very shortly?—It is important to show who the chairmen were, and particularly as the chairmen of the reception committees have been challenged; a statement was made that they were all members of the Clan-na-Gael.

62,099. At Springfield, there is nothing particular to say, is there?—No.

62,100. At Toledo a meeting was held in the Opera House?—The Mayor of the town, Mayor Romes, presided, and Bishop Gilmore and Senator Hurd wrote expressing approval.

62,101. Is Bishop Gilmore a Protestant bishop or a Catholic bishop?—Bishop Gilmore was a Catholic bishop; I think Cleveland is the next.

62,102. Ex-mayor Rose presided?—Yes.

62,103. Then Buffalo?—Buffalo, where we were met by a reception committee consisting of Father Cronin, who was the chairman of the reception committee, and others.

62,104. The Hon. Jules O'Brien and others?—Yes, and we received the freedom of the city, and Judge Clinton took the chair at the evening meeting.

62,105. Judge Clinton is the son of De Witt Clinton, who is Governor?—Yes—New York's greatest Governor.

62,106. A man at all events of great reputation?—Yes.

62,107. And General Morton, I see, was there, and spoke?—Yes.

62,108. At Rochester the Mayor presided?—Yes.

62,109. At Albany, Governor Carnell presided?—Governor Carnell presided.

62,110. Mayor Nolan was amongst the speakers and you were introduced to the House of Representatives?—Yes, I was introduced to the House of Representatives at Albany.

62,111. By Speaker Sharpe?—Yes, the Vicar-General Ludden was also present at the meeting.

62,112. The Rev. Dr. Mopson and the Hon. F. H. Woods were there?—Yes.

62,113. Then at Troy, on the 28th, the reception committee included Mayor Murphy?—At Troy Mayor Murphy was chairman of the reception committee, Judge Strait, General W. B. Tibbitts, and a number of other prominent men in the town also.

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[Continued.]

62,114. That is where the incident took place which I had better read?—I should be glad if you would.

62,115. About “5 dollars for bread and 20 for lead.” Mayor Murphy, General Carr, Judge Strait, the Hon. Francis N. Mann, Surrogate Rogers, General W. B. Tibbits, Justice Donohue, the School Commissioners Green and Dickson, Assemblyman Rhodes, President Thayer, Alderman Brown, Alderman Managhan, Alderman Ryan, Commissioners Stanton, Dr. T. J. Guy, President Draper, President Keating, the Rev. Mr. Haverman, the Rev. Mr. Carroll, the Rev. Mr. Towery, Dr. Baldwin, and Dr. Irwin, the Hon. F. N. Mann, District Attorney Foster, Hon. J. B. Carr, Judge E. Smith, Strait, ex-mayor Kemp, and 1,000*l.* was subscribed?—Yes, we received 1,000*l.* in subscriptions alone at that meeting, paid at the door, for relief of the distress.

62,116. Then there is a meeting at Newhaven?—I do not find that with regard to this Newhaven meeting; I do not find that the gentleman named was the chairman of the reception committee.

62,117. Who was the chairman of the reception committee?—I cannot quite make out from the reports before me, but speaking from recollection, I am inclined to think it was a Mr. Fox who was the chairman of the reception committee. I think there was a suggestion made that Mr. Reynolds was chairman of the reception committee, but I do not find that that is so.

62,118. Well, Baltimore, the reception committee was composed of the most prominent citizens, including the Mayor, Governor Hamilton, Sheriff Smyth, Judge Priestman, Judge Garey, United States Attorney, Chas. J. Kerr, and numbers of clergymen?—Numbers of clergymen, both Protestant, Presbyterian, and Roman Catholic. The Mayor was the chairman of the reception committee at Baltimore.

62,119. At Frankfort, on the 18th of February, you were received at the railway station by the Governor of Kentucky?—Yes, Governor Blackburn, who was the chairman of the reception committee, and the Mayor of the city, and the Board of Councilmen of Frankfort.

62,120. And I think Judge Biggar was the chairman of the meeting?—Judge Biggar was the chairman of the meeting. I was entertained by the Governor at the State residence, by the Governor of the State, and I addressed the Legislature.

62,121. You were received by the State Legislature at Kentucky, and addressed both Houses?—Yes, I addressed both Houses of the State Legislature of Kentucky in Session, and received their thanks for my address.

62,122. Now at Wheeling, Governor Matthews was chairman of the reception committee?—Yes, was chairman of the reception committee.

62,123. The Mayor and other prominent citizens were also members?—Yes, Governor Matthews the Governor of the State of Western Virginia was chairman of the reception committee.

62,124. And you had the use of the Government House?—The Government granted us the use of the Executive Mansion for the purpose of holding our receptions.

62,125. Pittsburgh, Mayor Liddell, is that right?—Yes, he was the chairman of the reception committee.

62,126. The reception committee met you, and there was a military procession through the city, and the Rev. N. G. Parkes delivered an address of welcome?—The Rev. N. G. Parkes, a Protestant clergyman, delivered an address of welcome.

62,127. Detroit, the Mayor presided, did he not?—Yes, and Governor Bagley was amongst the speakers at the meeting.

62,128. At St. Paul the mayor, Mr. Dawson, presided, and there was a speech by Bishop Ireland?—Yes.

62,129. He is the great advocate of temperance, I believe, Bishop Ireland?—Yes.

62,130. At Des Moines you were introduced to the Legislature in Session?—Yes.

62,131. And addressed them?—Yes, introduced by the Hon. C. Cole, and addressed them.

62,132. What State would that be—Indiana?—In the State of Indiana.

62,133. Is it Indiana or Iowa? I am not sure. At Springfield were you received by the whole City Government?—Yes, I received the freedom of the city.

62,134. And addressed the meeting at the Opera House?—Yes, addressed the meeting at the Opera House, and the Governor of the State of Illinois, Governor Cullen, presided.

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[Continued.]

62,135. At Dubuque, Iowa, J. K. Graves was chairman of the meeting, and you were met by the mayor and the city council?—Yes.

62,136. At Troy, Dr. Baldwin, Protestant minister, and Father Havermans, Catholic priest, both addressed the meeting?—Yes.

62,137. The Legislature of Wisconsin received you in their Assembly House, and you addressed them?—I addressed the Legislature at Wisconsin.

62,138. I will not trouble you with the hospitality shown you by the railway companies?—The railway companies frequently carried us.

62,139. You were received at Louisville by the Mayor, Mr. Baxter?—Yes, and by the principal citizens.

62,140. And at the meeting?—In Liederbrany Hall the meeting was addressed amongst others by General Preston and Mr. Watterson. General Preston, General of the Confederate service.

62,141. Now we come to Chicago. Was the freedom of Chicago presented to you by the mayor and city council?—Yes, the freedom of the city was presented by the mayor and city council.

62,142. And were you received by the members of the Board of Trade?—Yes, by the members of the Board of Trade.

62,143. That is very near the end. Des Moines on the 3rd of March. Governor Gear of Ohio presided?—Yes, Governor Gear of Ohio presided at Des Moines.

62,144. Springfield, I have already got that?—You have already dealt with that.

62,145. At Richmond you also addressed the Senate and the House of Delegates?—Yes, Richmond, Virginia.

62,146. As I have already read, you were invited to address the Congress at Washington?—Yes.

62,147. And you did?—Yes.

62,148. I put this general question to you, that every name which the Attorney-General has selected out of the immense number of those with whom you came in contact, take every name he suggested, the lot together, did they present anything beyond an infinitesimal fraction of the numbers joining in giving you these receptions?—They represented the merest fraction of the numbers who joined in the receptions everywhere we went.

62,149. You have already told us, I am not going over that again, as to the state of your information and want of information about the particular views of these men?—There is a special question with regard to some other chairmen of reception committees.

62,150. I really will not go into that, Mr. Parnell.

(*The Attorney-General.*) If you are leaving this, would you kindly ask Mr. Parnell from what original material this list is prepared.

62,151. (*Sir C. Russell.*) I will with pleasure. From what material is this prepared?—It is prepared from the original documents, portions of newspapers I brought with me from America.

62,152. (*The Attorney-General.*) What newspapers?—The local newspapers in each place.

62,153. Have you got them?—I have not got them absolutely here. You are welcome to see them if you wish.

(*The Attorney-General.*) If you please.

62,154. (*Sir C. Russell.*) Who prepared this?—I prepared it myself.

62,155. From the originals?—From these newspapers.

(*The Attorney-General.*) I should like to see these newspapers.

(*The Witness.*) You are quite welcome.

62,156. (*Sir C. Russell.*) Have you them here or not?—No, not in Court.

62,157. (*The President.*) However, you say you will supply them.—Certainly, my Lord. There was a special question put about the chairmen of the reception committees, as to whether they were not all Clan-na-Gael men, and I have endeavoured to get as many of the chairmen of committees as I could find. I should like that their names, in the special list, should be given to their Lordships.

(*Sir C. Russell.*) You have heard what my Lord has said, Mr. Parnell.

(*The President.*) If you will be kind enough to furnish that list to the Attorney-General, then we will see whether he desires to put any question upon it.

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[Continued.]

(*The Witness.*) Then I have some others, which I have collected myself since.

(*Sir C. Russell.*) I think that is quite enough.

62,158. (*The President.*) Do I understand that this list you have handed in to Sir Charles Russell, is simply a list of the chairmen?—Of the chairmen as far as I could get them.

62,159. (*Mr. Justice A. L. Smith.*) Of reception committees?—Chairmen of reception committees.

62,160. And those who are not Clan-na-Gael men?—These are any I could get; I did not pick them in any way, but none of those who were chairmen of my reception committees were Clan-na-Gael men, except Mr. O'Meager Condon, of Washington, and Dr. William Carroll, at Philadelphia, and I think that will be all.

62,161. (*The Attorney-General.*) Mr. Finerty?—Mr. Finerty was not chairman of reception committee.

62,162. You have told us that you returned, in consequence of the general election coming on, to Ireland?—Yes.

62,163. You were engaged in the spring of the year in fighting the elections?—Yes, and my visit was brought to an abrupt conclusion.

62,164. Fighting the elections, I think you told my friend in examination-in-chief, with an election fund of some 2,000*l.* or thereabouts?—Yes.

62,165. And later in the year 1880, you recollect having frequently before, but you recollect having a serious consultation with Mr. Davitt about crime springing up in the country?—Yes.

62,166. And was any arrangement then made between you and Mr. Davitt as to what should be done?—Yes; Mr. Davitt drafted this circular to the branches, denunciatory of outrages, and it was arranged that Mr. Davitt, my own engagements having concluded, and I having no further meetings before me, he should strongly denounce crime at all his meetings, which he continued to do up to the date of his arrest.

62,167. You have already referred to this, to the Attorney-General in cross-examination, and also in the examination-in-chief of my friend Mr. Asquith, have you yourself gone through and selected the speeches that at the time you saw were delivered by Mr. Davitt in pursuance of that arrangement?—Many of them at the time, and I collected some of them almost immediately afterwards.

(*Sir C. Russell.*) I will give your Lordships the dates of these speeches, and I propose reading them in each case. The paper from which they are taken is the "Freeman's Journal." There is one in co. Cork of 22nd November 1880; an interview on the same subject reported in the "Freeman" of the same day. The 24th November 1880, speech of Mr. Davitt at the Land League Executive Meeting, Dublin. The 29th or 30th November, it appears, I am not clear which is the date of the meeting, but it is not very material, at Sligo. At Mitchelstown on the 7th December, at Rathcoole on the 22nd December, and the next three speeches are taken from the "Irish World," I understand. The others I have mentioned are the "Freeman" and those are also, in the "Freeman" I believe. At Tralee in the paper of 5th February 1881.

(*The Attorney-General.*) Is that the "Irish World"?

62,168. (*Sir C. Russell.*) The "Irish World" copied from the "Freeman"; we could not get the "Freeman" for the particular number. Kilbrin, 12th February 1881, co. Cork and Norris in Carlow on 26th February 1881. Your Lordships will understand these were all reported in the "Freeman" but they are taken from the "Irish World." (*To the witness.*) I wish to explain as a matter of fact—Mr. Davitt was arrested on the 5th February?—The beginning of February.

62,169. When he was in the course of carrying out your instructions for the delivery of these speeches, or arrangement with you?—Yes.

(*Sir C. Russell.*) We do not propose to read these speeches in full, we will read what my friend desires.

(*The Attorney-General.*) I do not want my friend to read any more, but I want to see the context.

(*Sir C. Russell.*) Certainly, I think it would be convenient to read the whole speech.

62,170. Before any of these are read I wish to ask you a question. You were asked by the Attorney-General as regards your own denunciation of crime and of secret societies, I wish to put two questions to you on this head. In your judgment, which is the more effectual way with the public—the Irish people, denouncing secret societies, say, or endeavouring to withdraw them from secret societies—by inviting them and

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persuading them to join the open movement?—Having regard to the feelings of the people and the history of the country, I consider the more effectual way to restrain the people from the commission of outrage, is by pointing out to them that such outrages are injurious to their cause, and that in the open movement they have a better hope for the good of their country and their own advantage, than in recourse to crime or secret societies.

62,171. And as regards secret societies also, in your judgment recommending and persuading, and reasoning with them in favour of the open movement, will have the effect of withdrawing them from secret combinations?—I think so, assuming you are addressing men who believe that it is to the advantage of their movement and their social state, to commit crime. I think a speech directed showing them the advantage of a different kind of movement is more likely to cause them to refrain from the commission of crime, than a direct denunciation.

62,172. Or to cause them to leave their secret combinations or societies?—Yes, undoubtedly.

62,173. One other general question I have to put to you in this connexion too; Mr. Davitt will probably know more about it than you do; but so far as your opinion and your observation justified you in forming a judgment, has the effect of the open movement been or not to withdraw a large number of young men from secret combinations?—I think so. I believe that thoroughly. I believe that large numbers of the younger men have withdrawn from time to time from the secret societies throughout the country through our movement, but the efficiency of our movement in that direction was undoubtedly very much militated against by the successive Coercion Acts.

62,174. By the arrest of the leaders?—By the arrest of the leaders and the exasperation consequent upon the unconstitutional proceedings of the Government in those arrests, which made it very difficult for men of moderate opinions to have any effect whatever in restraining the inflamed minds of the people.

62,175. In reference to the foundation of the Land Leagues in various parts of the country, did you or did you not take pains to secure the best men, Catholic priests and others, the best men and the most reliable men on the popular side, to take positions of prominence in those local branches?—Invariably, when the movement became large and spread in the autumn of 1880, after the rejection of the Compensation Bill, we invariably did our best to secure that the control of the movement should come under the priesthood.

62,176. You have already said, I do not wish to repeat it, that apart from what you or your colleagues did, that at all these meetings you attended there were either priests in the chair or priests among the speakers who spoke in condemnation of crime?—Almost invariably there was a priest, and he came and spoke most strongly in direct denunciation and condemnation of crime and outrage, and very often of secret societies.

62,177. They spoke of the moral subject, and you spoke as a politician?—Yes. I spoke to them as a politician, and they spoke only from the moral point of view.

62,178. And as a matter of fact did you succeed in securing throughout the country, in by far the greatest number of branches, as the president or the vice-president, or the treasurer, a Catholic priest?—Yes, priests came everywhere into the movement, and in every case took important positions in the movement.

62,179. I believe there was one district into which they came less into, that was Kerry?—Yes, the Bishop opposed the movement there, and the absence of the priesthood from the movement has been disastrous.

62,180. In Kerry?—I think so.

62,181. In Mayo, you told us although at first it made some way, it was afterwards beaten out of Mayo?—It was beaten out of Mayo by the physical force party.

(Mr. Asquith.) The speech I am going to read now is from Mr. Davitt's speech at Ballinamona, reported on the 22nd November 1880; I only read the passages which are marked:

“ After alluding to his recent tour in America, Mr. Davitt said, nothing tends
 “ to injure our cause with the American people so much as the occasional acts of
 “ violence, which injustice prompts some to commit in parts of the country. The
 “ landlord organs here and in England take care to colour these occurrences so as
 “ to represent them as directly resulting from the agitation and teachings of the
 “ Land League (cries of ‘Tis false’). I believe from my own intercourse with

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“ representative Americans and newspaper men in the United States, that the
 “ Irish landlords could do nothing better to create sympathy for their cause, and
 “ obtain a condemnation of ours in America, than to shoot a half-dozen of their
 “ number, with a few agents thrown in to swell the horror, and then charge the
 “ deed upon the Land League and the tenant-farmers of Ireland (lengthened
 “ cheering). Let the world see that we have higher game in sight, and a nobler
 “ object in view than stooping to war on any miserable individual while the system
 “ that makes him the instrument of tyranny still stands upon our shores, and
 “ frowns down the happiness and prosperity of our own nation (loud cheer).”

(*Sir C. Russell.*) The next is the 27th November 1820, from the “Freeman.” It is a long speech. Do you wish it read?

(*The Attorney-General.*) I do not want anything more in that one.

(*Sir C. Russell.*) The next is the 27th November 1880; that is in the “Freeman”—the “Weekly Freeman.”

(*The President.*) You said before the 24th November.

(*The Attorney-General.*) Yes, you gave it the 24th, Sir Charles.

(*Sir C. Russell.*) Your Lordship is quite right, I am wrong—there is one on the 24th which I ought to read first.

(*The Attorney-General.*) Is that daily or weekly “Freeman.”

(*Sir C. Russell.*) This is daily. My Lords, I will have these in, but the passages in each case that I am reading are marked. I do not desire the note to be encumbered with more than those, but if there is anything else the Attorney-General wishes read, well and good.

(*The Attorney-General.*) I want first to find it; I have no copy. Where was the place—do you know?

(*Sir C. Russell.*) I had better read the passage.

(*The Attorney-General.*) I really must ask that I may get the paper, because I have no means whatever of following. Will you give us the newspaper, Mr. Harrington. Is it daily or weekly “Freeman.”

62,182. (*Sir C. Russell.*) Will you look at the “Weekly Freeman”? I will hand this to you after I have read the extract. It is a long speech, my Lord. I only read two passages:—

“ The spirit in which this assistance has already been given can find no better
 “ illustration than the act of the Tipperary lady who handed me 200 dollars a few
 “ days ago before leaving New York, as her contribution towards the destruction
 “ of the system which had driven her family from their Tipperary homestead, and
 “ forced her to leave Ireland, and earn in America what would save her father and
 “ mother from the degradation of an Irish workhouse.”

Then this is the passage which I wish to read:—

“ No control or right of direction of the Land League movement in Ireland
 “ is taken by the responsive organization in America. With the aid of what has
 “ been already given, or what we can confidently reckon upon in the future, or
 “ *modus operandi* so far is satisfactory, our programme is approved of everywhere,
 “ and as long as we hold to the platform of the Land League and remain loyal to
 “ the principles enumerated in the inception of the movement, that the land of
 “ Ireland must become the property of its people, we can command the practical
 “ sympathy and active co-operation of our countrymen in America and Canada.”

Then there is a long passage, and then it goes on thus—

“ Neither will any risk of unpopularity or adverse criticism prevent me raising
 “ my voice in emphatic condemnation of any and every act which may strengthen
 “ the hands of the landlords against the Land League, and alienate the moral
 “ support of public opinion throughout the world.”

(*The Attorney-General.*) I beg your pardon, I have only just found it. You begin in the middle of a sentence. Would you mind beginning it by reading “In saying
 “ a word about the acts of violence.”

(*Sir C. Russell.*) Very well, I will go back. See whether this is right.

“ Now I trust I will be permitted, ere concluding my report, to offer a few
 “ remarks upon a matter which concerns the most vital interests of the Land League
 “ movement at the present moment. In saying a word about the acts of violence
 “ which have taken place during my absence in America, I should venture to hope

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“ that I will not be credited with any other motive in condemning such unnecessary acts than that of desiring to see no impediment thrown across the path of our movement in its progress towards the emancipation of the soil of Ireland from landlordism, and the consequent freedom of our agricultural classes from the misery and poverty in which it condemns them to exist, as no penalty in the power of the Government to inflict will exercise any influence upon my actions in the performance of what I believe to be the duty of every Irishman in the crisis of our country’s struggle; neither will any risk of unpopularity or adverse criticism prevent me raising my voice in emphatic condemnation of any and every act which may strengthen the hands of landlords against the Land League and alienate the moral support of public opinion throughout the world. We have lived to see a movement in Ireland which commands more influence and wields more power than any organisation which has yet arisen to combat injustice or right a wrong in our country. It is moreover a movement which may be said to embrace exiled as well as occupying Irishmen—an uprising of the people which is marked by no sectarian lines or marred by local jealousies—one which means to unite the Catholic south with the Protestant north, and lift Ireland to a position which will be the negation of those degrading influences. Surely then any act which can imperil not only the success, but the very existence of such a movement, should be condemned as an attack upon the cause of five millions of the Irish people; no individual should place his personal wrongs or grievances above those of his people and country at large, and seek a revengeful kind of redress which may tend to prolong the wrongs of his class without effectively remedying those which he feels himself. Landlord shooting to say the least is unnecessary, except as a means of prolonging the system which alone is responsible for the acts of its twin victims—tenants, driven to despair and revenge, and landlord or agent shot or disabled. I would here instance the case which has attracted so much attention. Suppose some few weeks ago Captain Boycott had been shot, what would be the consequence, what would be the good effected? By this time it would be simply looked upon as one more agrarian outrage; but would any good result to the tenant-farmers of the locality, to the county, to Ireland or this movement at large? Certainly not. But look on the other hand at the magnificent conduct and attitude of the people of the baronies of Kilmaine and Ballinrobe. What have they effected? I think they have done more to further this cause and to further their own interests than if one hundred landlords had been shot there (Certainly). Now I would say to those who have wrongs that they feel they should revenge against Irish landlordism or against Irish agents, I would ask them to consider well what will be the consequence of resorting to the wild justice of revenge, not to themselves, but to this cause of the tenant farmers of Ireland—to this movement that yet I trust is destined to free Ireland of landlordism, and put an end to our squalor and misery, and instead of endeavouring to redress their own grievances in the shape of agrarian outrage, I would ask them here as one who can say at least without boasting he has endeavoured to do something to better their condition—I would ask them to follow the conduct and assume the attitude of the tenant farmers of Kilmaine and Ballinrobe, and if they do, depend upon it they will be furthering their own interest and those of their class in a far more effective manner than if they disregarded the advice given them from every platform since this agitation was commenced, and by every member of the League. Let, then, this be the *lex talionis* of victims of rack renting and evicting landlords, instead of resorting to what will destroy this movement, and the whole world will admire our stand, and our cause must succeed.”

The next is one of the 27th of November in the “Weekly Freeman.” This is the passage:—

(*The Attorney-General.*) Would you mind telling us how it is headed?

(*Sir C. Russell.*) It is “Mr. Davitt’s return,” interview at Queenstown. In the ordinary events it should come first, but in the order of publication it comes as I am now reading it. It is near the end.

“ How have they regarded in America the outrages which have been committed in this country? The American Press, unfortunately for the Land League movement, has to depend on the London Press Agency for all its

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“ information, and as this agency appears to be hostile to the agitation, each
 “ outrage occurring in Ireland is cabled across as being the result of the teaching
 “ of the agitators. In consequence of these opinions obtaining circulation in
 “ America great injury is done to our movement in the estimation of the public
 “ generally. The friendly American press, who are better informed, and the
 “ Catholic men generally, contradict these statements from London, and trace
 “ these outrages to their proper origin. It is of the greatest possible import-
 “ ance to our movement that the American public should be convinced that
 “ neither the land agitators nor the Land League send the slightest encourage-
 “ ment to agrarian outrages.”

(*The President.*) We have had that before. Where you are able to do so will you refer to the page of the notes where it is printed.

(*Sir C. Russell.*) I do not recollect that we had it before.

(*The President.*) Yes; I recollect it distinctly, it may have been in your speech.

(*Sir C. Russell.*) I do not think so, my Lord. The next is a meeting at Sligo, reported in the “Irish World” of the 1st January 1881, delivered on the 29th November 1880.

“ In conclusion I call upon you to stand by the Land League until your
 “ cause is won——”

(*The Attorney-General.*) Is that Mr. Davitt’s speech?

(*Sir C. Russell.*) Yes.

“ Give it your support by joining its branches right away. Stand shoulder
 “ to shoulder in the righteous struggle, and depend upon it that this great social
 “ problem will be solved sooner than many expect. Let false friends and land-
 “ grabbers be Boycotted, but refrain from any and all acts of violence. If I
 “ cared to parade the wrongs which Landlordism has inflicted upon me and mine,
 “ perhaps there is no man in Ireland to-day who has more cause to harbour
 “ feelings of revenge than I have, but revenge is an ignoble feeling, the culti-
 “ vation of which destroys the better and more manly attributes with which God
 “ has endowed men to combat wrong and vindicate right, and should not be
 “ allowed to usurp the mind or direct the impulse of Christian men. The revenge
 “ which we should seek in this great movement is

“ TO STRIKE DOWN IGNORANCE

“ by labouring to remove its cause, to see the miserable hovels of our people, the
 “ blots upon the social life of Ireland, as well as upon its landscape beauty, pulled
 “ down and replaced by neat and comfortable dwellings, plenty and wholesome
 “ food substituted for the Indian meal stirabout and rotted potatoes which have
 “ impoverished the physical life of our people, rags replaced by respectable
 “ raiment, and general prosperity reigning victor over national poverty. Let the
 “ victims of the Land League movement be injustice, ignorance, social degrada-
 “ tion, and pauperism, and the civilised world will glory in our triumph, while
 “ the hills and valleys of our fatherland will resound with the joyous songs of a
 “ happy people.”

Then Kilmallock meeting in Michaelstown from the “Freeman” of the 7th of December.

“ Form your branches in every parish, consult each other before paying rack-
 “ rents, be loyal to the determination come to in the matter of paying rent,
 “ ‘boycott,’ but do not injure your enemies and false friends, and no power on
 “ earth can save Irish landlordism from destruction or prolong the poverty and
 “ misery which have hitherto been your lot. (Loud cheers.)”

Then the report goes on—

“ During Mr. Davitt’s speech it was significant that a man who called out
 “ ‘Shoot the landlords’ was roughly taken in hand, and kicked out as a
 “ disturber.”

Then the Kathcoole (co. Dublin) meeting, 22nd of December 1880, from the “Freeman”—

“ In this great movement they had no immoral purpose in view. They did
 “ not attack any just right; they simply declared that a monstrous monopoly,
 “ which was crushing through the country and robbing the people, should no

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“ longer exist in Ireland. Why should not the people of Ireland, who were as
 “ brave, as industrious, and as moral as any other people in the world—why
 “ should they not follow the example of every other civilised country in the world
 “ and crush this system? With this great moral purpose in view, they called
 “ upon the men of the county Dublin to stand shoulder to shoulder, and,
 “ despite the powerful influences arrayed against them, they would win
 “ their just rights. The landlords were to-day face to face with the
 “ most powerful organisation that any people in any country ever had
 “ at their back. (Cheers.) They had heretofore dealt in a clumsy way with this
 “ Irish land question. What the Land League proposed—that, instead of one
 “ individual tenant-farmer taking the settlement of the Irish land question into his
 “ own hand by resorting to violence against one landlord—was the more efficacious
 “ and more systematic remedy for getting rid of the system. This was by com-
 “ bination and by loyal action between the tenant-farmers and the labourers.
 “ There was no necessity of making this great organisation an engine of tyranny
 “ or oppression to any class throughout the country. He had a few words to say
 “ to them on the question of boycotting. (Cheers.) It was a weapon that might
 “ be put to uses that it never was intended for; and he was sorry to say in some
 “ instances throughout the country, it had been resorted to against individuals
 “ who had never injured this movement, and who were not the enemies of the
 “ League. He hated tyranny. He hated it whether it came from the landlords
 “ or from the ranks of the Irish National Land League. He had warred against
 “ tyranny since he was a boy, and he would war against it till the end of his days,
 “ and, as one of the Irish National Land League, he would set his face, and would
 “ endeavour to set the organisation against this weapon being used against any
 “ man in Ireland simply because he refuses to join the Irish Land League. If
 “ they denounced coercion coming from the Government, or injustice coming from
 “ the landlords, how could they sanction coercion from their own ranks? (Hear,
 “ hear.) This was a great moral organisation for a moral purpose, and it must be
 “ carried on on moral lines. And while the Land League would never shrink
 “ from doing its duty to the tenant farmer, it would set its face against the unjust
 “ use of this weapon of boycotting.”

Then at a meeting at Drogheda, held on the 1st January 1881, reported in the “ Irish World ” of the 29th January 1881 :—

“ The landlord organs and the English press are holding the Irish people up
 “ as a nation of assassins. The English people were led to believe if a well-
 “ dressed man takes a walk down Sackville Street he will be fired at—(laughter)—
 “ and that a man must wear a coat of mail, and possess a brace of revolvers.
 “ These are all slanders. No people abhor assassination more than the Irish.
 “ (Cheers.) The few crimes that have unhappily been committed, the people
 “ know well where to leave the blame. All these agrarian crimes were first
 “ introduced into Ireland when landlordism was established. In 1849, when
 “ there was a famine, there were 203 murders; in 1880, when there was no famine,
 “ there were only five. (Cheers.) The people had at last discovered a more safe
 “ way for dealing with landlords than popping from behind a hedge. This
 “ discovery is causing more fear to the landlords than if thirty of their number
 “ were shot. They were working for all Irishmen, and let them all stand by the
 “ cause which, with God’s help, must and would succeed.”

The next I read refers to some arrests which apparently had been made. This speech was made at Tralee, on the arrest of Mr. Timothy Harrington, I think it was. It is from the “ Irish World,” the date of the paper containing the report being the 5th February 1881.

“ In conclusion I would say if you will only rally round those signalled out
 “ for punishment, and see that their families, or their business, do not suffer, you
 “ will give courage to those who are representing you in prison to-day, and you
 “ will, acting on the advice given by Mr. Parnell, and the other leaders of the
 “ Land League movement, to abstain from acts that would not be considered
 “ within the law, vindicate the character of the Irish people from aspersions—
 “ the foul and lying aspersions—cast on them. Continue to abstain from all acts

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“ of violence as in the past, and the shameless slanderers of our national
 “ character and our grand old country will be brought before the bar of public
 “ opinion, and convicted of the foul and detestable lies they have heaped upon us
 “ in their press. We have the honour of our country at stake, and we should be
 “ able to say to the new Ireland beyond the Atlantic that we know our cause is a
 “ just one, and that we are struggling for a great moral principle, and that we
 “ will allow nothing on the part of our passions or the impediments of our
 “ enemies to stand in the way of our success.”

The next is also from the “Irish World,” February 12th 1881, at Kilbrin, County Cork.

“ Let every unconstitutional act on the part of the Government, and every
 “ outrage perpetrated by the landlords be so many arguments given to the world,
 “ as proof that Englishmen cannot govern us as they rule themselves, and that
 “ the class which has done their dirty work in Ireland in the past has forfeited
 “ every claim to further toleration from the Irish people. (Great cheering.)
 “ Despite the efforts that are being made to drive you from your stern, passive
 “ attitude into loose and violent action, adhere to the programme of the League,
 “ and repel every incentive to outrage, and every inducement to give your
 “ enemies the opportunity of wiping out this movement in the blood of Irishmen.
 “ (Enthusiastic cheering.) Let the public opinion of the civilised world now
 “ focused upon our country see that it is—

“ THE GOVERNMENT AND NOT THE LAND LEAGUE

“ which commits outrage upon justice and popular rights, and the landlords and
 “ not the people are those who blacken our character and violate the principles
 “ of equity and morality. (Renewed cheering.) If your patience becomes
 “ exhausted by Government brutality, and every right, privilege, and hope,
 “ which is your God-given inheritance, be trampled upon by a vindictive power,
 “ the world will hold England, and not you, responsible if the wolf-dog of Irish
 “ vengeance bouds over the Atlantic at the very heart of the power from which
 “ it is now held back by the influence of the League. (Cheers.) But glorious,
 “ indeed, will be our victory, and high in the estimation of mankind will our
 “ grand old fatherland stand, if we can so curb our passions and control our acts
 “ in this struggle for free land as to march to success through provocation and
 “ danger without resorting to the wild justice of revenge, or being guilty of
 “ anything which would sully the character of a brave and Christian people.
 “ (Renewed Cheering.) Temporary defeat we may sustain, but if we refrain
 “ from what would aid in crushing our cause for a generation it will rise from
 “ such defeat and smite its very overthrow.”

The next is 26th February 1881, also the “Irish World.” This is the speech at Borris Carlow :—

“ I have in conclusion to ask you to follow the admirable advice given by
 “ your reverend chairman—not to allow yourselves to be forced into the
 “ commission of any crime or offence which would bring a stain on the national
 “ character, or give an argument or a weapon to your enemies to be used against
 “ you. Let it be shown by your dignified and determined conduct that the
 “ outrages paraded before the House of Commons have existed only in the
 “ imagination of that very imaginative force, the Irish Constabulary. All should
 “ then

“ STAND UNITED SHOULDER TO SHOULDER

“ in the future as in the past.”

The gentleman presiding was the Reverend P. Carey, who,

“ in a pithy introductory speech, warned the people to be led into no untimely
 “ revolutionary outbreak or manifestation of that nature. That’s what the
 “ Government want that they may shoot us down. Every act of theirs points in
 “ that direction.”

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Now, Mr. Parnell, I will resume. We know, following out the dates, Mr. Davitt was sent to prison, and was kept in prison I think for a period of 15 months?—Yes, he was kept in prison from that date until shortly after my release from Kilmainham in May.

62,183. Just following the matter, not as the Attorney-General's cross-examination was, but as nearly as one can the order of time, then we come to the discussion in Parliament?—Is that the amendment to the Address?

62,184. No, March 1881. It is upon the first reading of Mr. Forster's Act in March 1881?—There was the speech on the amendment to the Address.

62,185. That was in February, was not it?—January 7th, 1881, out of which the passage was taken that I misrepresented myself about.

62,186. You are quite right in point of date. That is the 7th January 1881. I wish to call your Lordship's attention at some little length to the speech. It is volume 257, pages 191 and 192. You were meeting the argument that there was exceptional crime?—Yes.

62,187. You say there—

“ We are speaking to a certain extent in the dark, and I could have wished
“ that the Prime Minister had extended the scope of his observations, and have
“ given us the same information in regard to coercion, as he did with respect to
“ the proposed Land Bill.

(*The Attorney-General.*) I think with reference to this, as we both wish to refer to this, it must be taken the whole of this speech is in. I do not want to put it on the note if your Lordship thinks it unnecessary, but in view of the answers given yesterday, I think it is very important the whole should be in.

(*Sir C. Russell.*) Yes, certainly. My friend can refer to any part of it. We desire it should be all in.

62,188. Then you go on—

“ I want to assume at the outset that there are many members of this House,
“ and I hope the result may prove that it is the majority, who are desirous of being
“ informed on the question of alleged agrarian crime and outrages, and are desirous
“ of giving fair play to Ireland. In looking at it in this point of view, I think
“ it is our duty to do all we can to remove the prejudices, the misconceptions,
“ which have arisen with regard to the state of affairs in Ireland. I have
“ occasionally come over to this country since Parliament last met, and I have
“ been myself alarmed by reading the English newspapers, and I have almost at
“ times been tempted to think that some sudden change had arisen in Ireland
“ during the few days of my stay here, and that instead of a state of disturbance
“ and outrage below the normal condition of the last 30 or 40 years, as I shall
“ prove by statistics, some extraordinary epidemic of crime had arisen there. I
“ am not at all surprised that Englishmen and foreigners should have been led
“ away by the deliberate conspiracy which the press of this metropolis has set on
“ foot against the good name of Ireland. I do not mean to say that many things
“ have not occurred in Ireland which we must deplore; but, unhappily, things
“ have always occurred which we must deplore. This conspiracy on the part of
“ the guides of public opinion in England is a very hard thing for us to meet. We
“ have not usually the opportunity of appearing on your platforms and of speaking
“ to large English audiences; and when we find ourselves face to face with a
“ persistent and repeated attempt to mislead public opinion with regard to Ireland,
“ it almost makes one despair of demonstrating the real truth. The difference
“ between public opinion in England and Ireland is really the clue to this. Our
“ people understood thoroughly their own wants and wishes when we set on foot
“ an agitation to carry out certain reforms. If that agitation was proceeding
“ in England, the English people would be well acquainted with it; but
“ because it takes place in Ireland an opportunity was afforded for the grossest
“ misrepresentation, and it becomes almost impossible to set public opinion right.
“ I was glad that the Prime Minister said that there had been considerable
“ exaggeration of the actual amount of crime in Ireland, and that he did not base
“ his claim for exceptional legislation entirely on the existence of outrages, but
“ rather on the difficulty of obtaining convictions against persons and of getting
“ evidence. Perhaps I might, before going further, quote the object and explain

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“ the purposes of the Irish National Land League. In doing so, I shall not in
“ any way prejudice the trials which are now proceeding. Adverting to these trials,
“ I may say in passing that this is the first jury which has ever been empannelled
“ to try a political cause in Ireland which the Crown has not succeeded in packing.
“ The objects of the League are very simple:—1st, to prevent rack-renting;
“ 2nd, to enable tenants to become owners of their own farms by paying a fair
“ rent for a limited number of years; 3rd, to facilitate the working of the Bright
“ Clauses of the Land Act—those are the objects which we have been working
“ to bring to a successful issue. Hon. Members will admit that there is nothing
“ so very dreadful in those objects; but they may say we have sought to carry
“ out those objects by improper means; that we have incited to outrage, or, if we
“ have refrained from outrage, we have not sufficiently reprobated it. I can only
“ say that for my part, I think at every meeting at which I spoke in Ireland
“ up to the time when the Chief Secretary sent extra constabulary into the
“ starving localities of Galway and Mayo, that I took care to reprobate outrage
“ and to point out that we did not wish outrage, but we wished to act in a
“ peaceful and constitutional manner, and even the other prominent members of
“ the League acted in the same manner, and even exceeded me in the vehemence
“ with which they denounced it. My friend Mr. Davitt, immediately on his
“ return from America, pointed out that nothing would so much go against our
“ cause as the commission of outrages; and although some members belonging to
“ the League may have said incautious, foolish, and hasty expressions calculated
“ to mislead the people to whom they were addressed, yet I believe such
“ occurrences were very exceptional, and wherever they did occur the speakers
“ were always reproved for their incautiousness, and took care to remedy it.
“ The course the Land League recommended was agitation by means of public
“ meetings throughout the country; that the people should be recommended to
“ organise themselves, to unite together, and to refuse to pay more than a fair
“ rent, and to refuse also to take farms from which another tenant had been
“ evicted in consequence of inability or refusal to pay more than a fair rent.
“ Some of the apparent accompaniments of that agitation are very much to
“ be deplored; but the agitation has consisted up to the present time, of some-
“ thing like 200 land meetings attended by crowds unprecedented in number since
“ the time of O’Connell. Undoubtedly the heart of the Irish people has been stirred
“ in a way that has not occurred before in our generation; and the fact that,
“ although excited and just emerged from a state of famine, during which the
“ landlords took the opportunity to carry out evictions in an unprecedented
“ manner, the facts, as seen in a Return laid on the Table last night, show that
“ the number of outrages is below the averages during the years comprised in the
“ Return, is a striking testimony to general peace and tranquillity of the country.
“ During the first six months of the year 1880 the landlords took advantage of
“ the opportunity which distress and famine afforded them in many parts of
“ Ireland to execute ejectments against 1,696 heads of families, involving probably
“ 8,480 persons. Of these 268 were re-admitted as tenants, and 1,355 as care-
“ takers. Are we not entitled to assume that very much of the sudden increase
“ of the crime during the four months which elapsed since the Summer Assizes
“ arose from an attempt on the part of the landlords to turn out the people who
“ had been admitted as care-takers, and whom they could eject by a summary
“ process, which required neither notice to quit or to bring persons before a
“ Court of Quarter Sessions? The amount and character of the crime has also
“ been enormously exaggerated. The Chief Secretary stated to-night that the
“ number of agrarian outrages in 1880 was 2,573 and of these nearly half were
“ threatening letters. Letters of that kind are very common. I believe the
“ people often write them to themselves, and a country should not get a bad name
“ because of such letters. If a country in which such letters are prevalent
“ deserves a bad character, England is certainly worthy of blame, for numberless
“ letters containing threats are sent to me and other members of the Land League
“ from this country. I received a number of them to-day; but, of course, nobody
“ in his senses takes any notice of them. The man who writes a threatening
“ letter is not the man to act up to his words.”

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[Continued.]

Then he mentions an incident which occurred to him. I do not think I need trouble your Lordship with that. Then it goes on:—

“ Well, I find, by the Returns just issued, that the average number of outrages reported by the constabulary since the year 1844, including the year 1880, amount to 5,000 per annum. In 1880 the number of outrages reported to the constabulary only amounted to 4,654. Compare this with the year 1845, when the number was 8,104; or the year 1846, when the number was 12,382: or with the year 1847, when the number was 20,986; or with 1848, when it was 14,480; or with 1849, when it was 14,980; or with 1840, when the number was 10,639; and you will see I can fairly claim that the year 1880, with 4,654 outrages only, is at all events among years of peace and order in Ireland. The year 1876 is a favourable one to compare with 1880. We had not then the distress, and therefore there was the less cause—I will not say reason—for outrage than to-day. Eighteen hundred and seventy was one of the years chosen by the English Minister of the day for bringing forward coercion. We find in that year there were 1,359 agrarian outrages, of which 624 were threatening letters, or about half. In 1870 there were only 549 ejectments; in the year 1880 there were 1,696 ejectments. If that ratio had been kept up, it would have given us 2,360 ejectments, instead of 549 in 1870; but, owing to the action of the Irish National Land League, they only amounted to 2,000 for the first half of the year, thus leaving only 400 for the six months during which the League had got into operation after the failure of the Chief Secretary and the House of Commons to deal with the question.”

Then he goes on with the proportion of ejectments and murders.

“ We find there is an enormous improvement in these days as compared with those old times in 1831 and following years, when the tithe agitation was in full swing. The tithe agitation was an agitation of a very similar character to the present anti-rent war agitation. It was an agitation directed by O’Connell for the purpose of preventing the people from the necessity of paying about 750,000*l.* towards the income of the late English establishment in Ireland; that was a smaller sum of money. The people were agitated in very much the same way, but they were not organised. The anti-rent movement of the present day is directed to prevent the people from the necessity of paying about 4,000,000*l.* or 5,000,000*l.* in the year. So that you will see that there is about five times the amount of money in question in these days that there was in question in 1831. Now, what do we find with regard to 1831? We find that petitions were sent into the House of Lords complaining that there existed in Ireland a systematic opposition to the payment of tithe, just as they complain to-day that there exists a systematic opposition to the payment of rent, which I deny. I admit there is a systematic opposition to the payment of more than a fair rent, and the people have taken the Poor Law valuation as the most convenient standard of what a fair rent ought to be; but I deny that there is a systematic opposition to the payment of all rents, and that it was impossible to collect them without having recourse to the aid of constabulary. This systematic opposition took the form of organised intimidation, just as they complain to-day, and we are told that the Government found it necessary to introduce a Bill to prevent and punish this rising by what they called the Whiteboy Act; but we have got the Whiteboy Act in full force to-day, and the Act which was put in force to repress the tithe-rent agitation is in full swing in Ireland at the present moment. The Act, though it repeals the punishment of death in certain cases, was, nevertheless, a penal statute. You ask for exceptional powers, and I dare say a great many in this House hardly know the extreme stringency of the exceptional measures that already exist in Ireland in the shape of the Whiteboy Act. But, in spite of this Whiteboy Act, the agitation against tithes increased in violence and extent, as every agitation in Ireland will increase in spite of any coercive measures this House may think proper to pass until the cause of the agitation has been removed. In Kilkenny during that period there were, as stated by Mr. Stanley——”

That is the late Lord Derby?—Yes.

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[Continued.]

62,189.

“ —in the debate on the Address in 1831, 32 murders and attempts at murder,
 “ 34 burnings of houses, 36 assaults of a dangerous character. Contrast the condition
 “ of Kilkenny as depicted by Mr. Stanley, with the condition of the Kilkenny of the
 “ present day, or rather, I will say, contrast one of the worst provinces in Ireland,
 “ so far as the commission of outrages—the province of Munster—contrast the
 “ whole province of Munster with the condition of that day. I have not given the
 “ contrast from Judge Fitzgerald’s Charge. With regard to the condition of
 “ Munster, I regret exceedingly that Judge Fitzgerald’s Charge has been relied
 “ upon as a reason for coercion. Yet this is the state of Munster, consisting of
 “ four counties—Clare, Limerick, Kerry, and Cork—Cork being, as the House is
 “ aware, the largest county in Ireland—threatening letters, 287; shooting into
 “ houses and malicious injuries, 18; maiming cattle, 33; arson, 69; therefore,
 “ taking the whole province of Munster, the worst province in the point of outrages
 “ in Ireland is not so bad to-day as the county of Kilkenny in 1831. In Ireland,
 “ which has, unfortunately, an unhappy history, the people have been driven to
 “ rely too much upon murder and outrage for the redress of their grievances, and
 “ to feel there is nothing to keep them in their homes but the fear that may be
 “ inspired by threatening letters, or the shooting of landlords or agents, or the
 “ burning of some of their out-houses or haystacks; and the politician who attempts
 “ to originate a movement in Ireland might do so with the knowledge that
 “ there will be crime and outrage wherever there is disturbance and eviction, and
 “ that he will be accused and made responsible for the result of the unhappy
 “ history of the country in which he has organised this movement, as I have been
 “ in the present instance. I have not been able to do away with the usual con-
 “ dition. I wish it had been otherwise; but there is an enormous improvement.
 “ I have shown you that, as compared with the number of evictions, the statistics
 “ of crime show that there had been in 1870 two and a half times as much agrarian
 “ outrages and crime as we have now in 1880; and recollect that this was a time
 “ when there was no distress or famine—when the people had not come through
 “ a terrible year of misfortune and oppression, and when there was no agitation
 “ organisation. I claim for the organisation that it has been most effectual in
 “ preventing crime in Ireland. I feel convinced that if it had not been for our
 “ exertions the ratio of evictions, which commenced in the first half of 1880 at
 “ 1,600 and odd, would have gone on increasing, and that you should have murder
 “ and outrage on the scale of some of those unhappy years about which I have
 “ just quoted; and I warn the Government that if they attempt to put down
 “ Constitutional rights in Ireland—if they take away from the people the right of
 “ meeting publicly and discussing their grievances—if they prevent them from
 “ organising, if they prevent them bringing to bear the strong force of
 “ public opinion on individuals who defy the public opinion of their
 “ neighbours, they will see murder and outrage walking abroad through
 “ the land, notwithstanding all their constabulary, and all their police, and all
 “ their Coercion Acts. They may strike down the leaders who are using their
 “ influence, and I am thankful to say they have effectually used their influence,
 “ to prevent crime and outrage up to the present moment. If they do these
 “ things they will have murder and crime. The landlords will be encouraged to
 “ evict, and they will grind them down as they ground them down before. The
 “ spirit that has been aroused in Ireland will not be willing to submit to this
 “ tyranny, and what I have stated will be the result. I think it right to state
 “ what I know must happen even from the prospect of coercion as encouraging
 “ the landlords to evict. We had yesterday as the ill-omened accompaniments of
 “ the Queen’s Speech, the news that the police had fatally injured two men in
 “ attempting to carry out an eviction, or process-serving, and that several persons
 “ were seriously hurt. This is the beginning of what we are going to have. You
 “ may take away the arms from the people; but never yet was an agrarian
 “ murder prevented in Ireland for want of a blunderbuss to shoot the landlord.
 “ Now, the choice that we have before us is this, whether you will have an open
 “ organisation, which, undoubtedly, has committed some mistakes, whose action
 “ in some respects is open to blame and criticism—I do not wish to deny for a

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“ moment; this action is being very fast modified by experience and by advice in
 “ such a way as to make it exceptional—whether you will have such an open
 “ organisation, or whether you will have a secret conspiracy. Secret conspiracies
 “ do not now exist in Ireland. I used to hear of the secret conspiracy of
 “ Ribbonism—a most powerful organisation—an organisation which, I have been
 “ informed, had its head-quarters in Manchester, but if you crush down the people
 “ with coercion, the result must be that you will have Ribbonism and kindred
 “ societies for the purpose of doing that by secret conspiracy which you prevent
 “ them from doing by open organisation.”

Let me ask you upon that two questions please. Yesterday you said in answer to Question 61,964, as to the persons from whom outrage proceeded, “ They appeared to
 “ me from the information I received from time to time, to proceed from the lower
 “ class of the tenants and the remnants of the Ribbon societies throughout the country,
 “ who collected together in each locality and formed small organisations amongst
 “ themselves, and went about committing these outrages for the purpose of intimi-
 “ dating the larger tenant farmers from paying their rents.”—Yes.

62,190. That was your view?—That was my view then and it is my view now.

62,191. Has it ever been alleged by you, or by any other public man that you are aware of, that the Fenian organisation, as an organisation, ever promoted agrarian crime?—No, I have never heard anybody make that statement.

62,192. Is it not the fact that when the Fenian organisation was strongest agrarian crime was least in Ireland?—I believe that that is so—that at the time the Fenian organisation was strongest in 1865, agrarian crime rapidly diminished.

62,193. Now let me put the other society. On the other hand, has anyone ever doubted that the Ribbon Society was a strong cause of crime throughout Ireland?—Beyond a doubt it was an organised society throughout Ireland under central direction, for the purpose of promoting agrarian crime, for the purpose of protecting the tenantry from the arbitrary and unjust conduct of the landlords.

62,194. You went on to say yesterday that these local bodies composed of the sons of the lower class of tenants, the remnants of Ribbon societies, and so on throughout the country, were strictly local?—Yes.

62,195. And in no sense had any general or central organisation?—Quite so.

62,196. Whether amongst them there may be some individual Fenians or not, as a matter of fact, you could not, of course, judge?—They would probably have been composed of the lowest class of Fenians, and the remnant of the Ribbon organisation.

62,197. But locally banded together, as the evidence in the case has shown, by themselves without any central or governing organisation?—Without any central or governing organisation.

62,198. For instance, would there be any connexion between such a body in Clare and such a body in Armagh?—Not the slightest; and the body in Clare would not be connected with each other; whereas the Fenian organisation, of course, would be under central direction, and would be connected one branch with another throughout the country, as well as the Ribbon organisation.

(*Sir C. Russell.*) [*Reading*].—

“ If you crush down the people with coercion, the result must be that you
 “ will have Ribbonism and kindred societies for the purpose of doing that by
 “ secret conspiracy which you prevent them from doing by open organisation.
 “ The majority of the inhabitants of Ireland—the agricultural labourers and
 “ farmers of Ireland, who constitute, practically speaking, with their wives and
 “ families, 5,000,000 out of the population, or five-sixths of the populace—this
 “ class has been stirred in an unprecedented way. They have been taught to rely
 “ upon open agitation and organisation; to rely upon combination amongst them-
 “ selves, and upon the force of public opinion to prevent persons from offending
 “ against the unwritten law of the majority of the people of Ireland; and when I say
 “ the unwritten law, I wish to point out to you that the majority of the people of
 “ Ireland do not make their laws themselves; that they are made for them by a
 “ nation outside themselves; entirely unacquainted with the wants and wishes of
 “ the people of that country. The result is, that if there are unjust laws pressing
 “ upon them, as the agrarian laws of Ireland are admitted to be, the only way the
 “ people can protect themselves from them is by their own unwritten laws, which

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“ they have striven to enforce, and have successfully enforced, so far, up to the
 “ present occasion, by the strong force of public opinion. I agree that in a well
 “ ordered community, existing under normal conditions, responsible for its own
 “ prosperity, with its representatives entirely responsible to those who elected
 “ them, and no others, and with power to do everything for themselves, the
 “ invocation of public opinion against the law of the land would be a most
 “ criminal proceeding; but I deny it is the case in Ireland. It has been at times
 “ recognised in every country which has not had the privilege of self-government
 “ that resistance to unjust laws is sometimes legitimate, and I can conceive
 “ no higher duty of patriotism on the part of the Irish tenant than the
 “ willingness to go to jail and suffer hard labour, rather than surrender
 “ his right to feed his family and support them by the produce of the soil
 “ he tills. We have undoubtedly called upon them to resist by organisa-
 “ tion and without violence, and by passive resistance, by refusing
 “ to take a farm from which another had been evicted, by refusing to deal with
 “ the person who takes his farm, or with the person who supplies him with
 “ provisions. We have undoubtedly organised the people to resist in this way
 “ those unjust laws which are the result of the legislation of this House; but the
 “ emergency was such that there was no other resource open to us. We had been
 “ left defenceless after the close of last Session by the rejection of the Compensa-
 “ tion for Disturbance Bill. During the passing of the Act I voted with the
 “ Government on the second reading. It was not until they had spoiled their Bill
 “ by striking out a vital portion of it, by the introduction of a limitation, that I
 “ felt it to be my duty to walk out of the House; and when it came to the third
 “ reading I also abstained from voting. But so long as the Bill remained in its
 “ original shape, so long as it embraced the first intentions of the Government, I
 “ supported it, and was willing to do that which would have undoubtedly very
 “ materially injured the agitation of Ireland, by facilitating the passing of the
 “ Compensation for Disturbance Bill of last Session. Mr. Speaker, let me in
 “ conclusion, give a very brief history of coercion for Ireland.”

Then, my Lords, I will not trouble you by going through that. I think that is all. That is in 1881.

62,199. Now the Attorney-General has made a reference to a speech of Sir William Harcourt in the following month of February 1881 in which he made a reference to Devoy—do you recollect that?—Yes.

62,200. At the time you believed you were not there—you believed you were in Paris?—I was in Paris I find at that time.

62,201. That is so—as a matter of fact that appears from reference in it—one of the speakers mentioned it.

(*The Attorney-General.*) I quite accept that statement, as it has been referred to, but it also appears from a later speech in the House that he had read both of Sir William Harcourt's speeches.

62,202. (*Sir C. Russell.*) Do you recollect whether you read that speech?—I do not recollect the speech. The only speech of Sir William Harcourt's at that time which I recollect was a speech made in which he compared me unfavourably with my friend Mr. John Dillon, in which he likened me to the French Captain Bongeon, “ who was
 “ very fond of fighting, but who fled full soon, on the 1st June, and bade the rest
 “ keep fighting.” That is the particular speech of Sir William Harcourt at the time that I recollect.

62,203. Now, you did make a reference yesterday, as you mentioned, to Mr. Dillon. I had not thought of referring to it, but you did make a reference yesterday in the cross-examination of the Attorney-General to some difference that you had had with your friend Mr. Dillon?—Yes, quite so.

62,204. I think this is the purport of what he said—if he was a tenant and was being evicted, with no prospect before him for his children, he should stand up and resist eviction?—That he would fire, and fire upon the evicting party from his house.

62,205. You made an allusion afterwards to that speech of Mr. Dillon's?—Yes.

62,206. I am reading from “Hansard,” 4th March 1881, volume 257, that speech of Mr. Dillon's, I ought to make it clear to your Lordships, was not made in Ireland, but in the House of Commons?—Yes, made in the House of Commons.

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62,207. Made I think upon this very Coercion Bill?—Yes.

(*The Attorney-General.*) Give me the page.

(*Sir C. Russell.*) The page I am reading from is 339. I should like to read this. There is an allusion to Devoy here I see, by the way, so I may as well refer to that.

(*The Attorney-General.*) I rather think that is the speech in which he says he had read them.

(*Sir C. Russell.*) I had better make the reference to it clear—it is column 337 :—“ We had a character given of Mr. John Henry by the right honourable gentleman ”—that honourable gentleman is not Sir William Harcourt.

(*Sir H. James.*) Yes it is.

(*Sir C. Russell.*) No, I assure you it is not—that is not Sir William Harcourt—that is the Chancellor of the Duchy of Lancaster.

“ We were informed that the right honourable gentleman——”

Yes, it must be Sir William Harcourt [*reading*] :—

“ We were informed that that gentleman had sent a threatening cablegram to the right hon. gentleman, threatening to stamp upon him. I was surprised when I heard of this intelligence, and I at once cabled from Paris to Mr. Devoy to know whether there was any truth in the statement, and I received back a message next day to say there was no truth in the information that he had sent any cablegram threatening the right hon. gentleman, but had simply used the same words which the right hon. gentleman had used in this House against the Fenian Society, and if the right hon. gentleman is entitled to say in this House that he will stamp upon the Fenian Society like a nest of vipers, surely the Fenian Brotherhood are entitled to say, in return, that they will, if they can, stamp, not on the Right hon. gentleman, the Home Secretary, but upon his Government. But the right hon. gentleman was not satisfied with perverting and misrepresenting the meaning of the cablegram.”

I think it was the Government.

62,208. What?—I think Devoy explained it was the Government that they proposed to stamp upon, not the individual man; that is what I understood to be the suggestion.

62,209. Then you say further on in the speech :—

“ The Land League has been represented as akin to Fenianism. That I

“ deny; I have the greatest respect for many Fenians.”

Then you speak of the men, and say they go in for physical force. Then you go on to say :—

“ And although I do not believe that they are right, I say the Ministry of to-day are doing their best to prove that those men are right; they are doing their best to thrust men like myself, the hon. member for Tipperary,”

(That is Mr. John Dillon.)

“ and many others, outside the lines of the Constitution. We shall not oblige them. But though I have this respect for those men, I have never been able to see that a physical force policy was practicable or possible to adopt, either in Ireland or out of it, as regards the relations between the two countries; therefore I have always avoided connexion with it. There are organisations of the kind in America, but the bulk of our money has not come from them, simply because they have their own organisations to support. They may have sent us money, as individuals, but I deny that there is any connexion, either open or secret, between the two organisations. We have been represented as advising the assassination of landlords, but I cannot help thinking that an unhappy passage in my hon. friend the member for Tipperary's speech has been seized on by the Secretary of State for the Home Department, and has been twisted to suit his purpose.”

That is referring to Mr. Dillon particularly?—Referring to Mr. Dillon.

“ I regret exceedingly that my hon. friend should so have committed himself by those words as he undoubtedly did. Knowing, as I do, his natural disposition and how his mind shrinks and revolts from any recourse to physical

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[Continued.]

“ force, he could not contemplate injuring the smallest creature, much less one of
 “ his fellow-creatures, without the greatest repugnance. I can well understand
 “ how, in the heat of the moment, he was led into the announcement which he
 “ made yesterday, that if he were an evicted tenant he would fire on his evictors
 “ and defend his homestead. But I believe that my hon. friend meant that he
 “ would do it openly. I believe he meant that he would not shoot from behind a
 “ hedge, but that he would fire at his evictors face to face and shoot them if he
 “ could, and be shot in return if he could not. Although that is not a possible,
 “ a wise, or a judicious policy, although a recourse to such method should not be
 “ recommended, and although I myself could not for a moment tolerate such
 “ language, I should say there was nothing like cowardice in that. There was
 “ nothing mean or dishonourable in the announcement of my hon. friend, nor did
 “ he invite anybody else to imitate his example.”

62,210. Now then, as we know, the Coercion Act of Mr. Forster was passed?—
 Yes.

62,211. Your Lordships have already the general characteristics of that Act, and
 under it altogether, I think, about one thousand men were imprisoned, none of whom
 were ever brought to trial?—Some were subsequently brought to trial, but not many
 of them.

62,212. I did not know there were any?—A small proportion of them.

62,212a. Did they imprison not only the principal leaders of the movement, but also
 were a great many of the men prominent in the local branches of the Land League?—
 Undoubtedly, a great many of the officials of the branches, throughout the country.

62,213. Is it the fact, we have had it I think already from evidence, that the worst
 period of crime was the period which followed (October 1881) the arrest of Mr. Dillon,
 yourself, Mr. Sexton, and a number of others?—That was the worst period.

62,214. The months that immediately followed—I think it was December—Oh, no,
 October—at all events, the months that followed?—Yes.

62,215. Now, you were released; I am not going into that matter again, as you have
 been asked nothing about it; then followed the release——?—You have missed the
 Land Bill, I was anxious that my speech on the first reading of the Land Bill should
 be put in.

62,216. I will read it, if you wish; what is the date; can you give me the reference
 to it in January?—No, it was in April, just before the Easter recess.

62,217. April 1881?—Yes.

62,218. Or April 1880?—April 1881—the Land Act year.

62,219. I have not got it, I think you must have it somewhere; kindly look at that
 [The volume of “Hansard” was handed to the witness], and see if there is any refer-
 ence to it?—Yes, I will find it for you in a moment.

62,220. I do not think that it is important?—And there is a speech at Manchester
 which I was anxious to have put in, also about the Land Bill.

62,221. We have not got that either?—I gave it to Mr. Asquith, it is in the volume
 of my speeches, the speech I made at Manchester and another at Newcastle-on-Tyne.

62,222. The Court has already intimated, I think, they understand your attitude
 towards the Land Bill, I think your Lordships understood that?—It has been distinctly
 challenged by the Attorney-General in his cross-examination.

62,223. Well, I will refer to it later, if it is necessary to put it in, as the matter has
 been mentioned, but do not trouble about that book any more; it is not there.

62,224. (The Attorney-General.) My charges referred to conduct out of Parliament,
 not in Parliament?—These particular speeches had reference to my attitude out of
 Parliament towards the Land Bill.

62,225. (Sir C. Russell.) I will ask you one or two questions about that, and if
 necessary we will refer to them later. First of all, a certain section of your colleagues
 was against the Land Bill as being an important factor or any settlement of the land
 question at all?—They did not think it would settle the question at all, they thought
 it would divide the tenants up and fail to protect the smaller tenants, and that it would
 cause a great deal of litigation and evil results, and they were largely justified by the
 result, I admit.

62,226. The result of that view they took was, and Mr. Dillon was amongst
 them——?—Yes; he took that view very prominently, and strongly opposed the
 Irish tenants accepting the Land Bill, or having anything to do with it.

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[Continued.]

62,227. You were desirous of an indiscriminate rush into the Land Court, and to have certain test cases tried?—That was the compromise eventually adopted between those representing Mr. Dillon's views and myself.

62,228. And it was then while they were engaged in some thousand of these land test cases that you were arrested and put in prison?—Yes.

62,229. During the passage of that Bill in Parliament you did consider it a fair settlement of that question?—Yes.

62,230. You heard me endeavouring to point out in the course of the statement I made to the Court your attitude upon the question?—Yes.

62,231. I need not go over that again?—Yes.

62,232. That was correct?—Yes.

62,233. Your speeches in the country were in the same sense?—They were, undoubtedly.

62,234. Now there is one other speech, part of which I shall read. My Lord, it is a speech delivered in the House of Commons on the 25th of May 1882, on the first reading, I think it is, of Sir George Trevelyan's Prevention of Crimes Bill. It is at column 1619, vol. 269. I see it is Sir William Harcourt's Bill. I called it Sir George Trevelyan's Bill. There is a reference to a speech made in the House by one of his colleagues. He says:—

“ I do not think he intended to convey the impression that our exertions
 “ to prevent outrages would be dependent on the passage of the Arrears Bill, or
 “ that any illegal course in the shape of intimidation would be either entered into
 “ or persevered in pending the final settlement of the land question. Our views
 “ in prison since the marked increase of outrages had been that it was most
 “ desirable that the country should be tranquillised and the movement kept
 “ within the bounds of moderation, and we held during these months many
 “ anxious consultations as to how we were to contribute towards those ends.
 “ In addition, we did what little we were able to do in our position to tranquillise
 “ the country and moderate the excitement of the people; and this was months
 “ before our release was thought of, or any certainty had appeared of the settlement
 “ of the arrears question. But subsequently, when a settlement of the arrears
 “ question appeared likely, I did not deem it my duty to conceal from my friends
 “ that, in our judgment, this settlement, with a fair prospect of remedial legislation
 “ of a practical character afterwards, would enormously contribute to the paci-
 “ fication of the country. And why, Sir, did we think this? Because we
 “ hoped that the settlement of the arrears question, which has been proposed by
 “ the Prime Minister, would have a material effect in stopping unjust evictions for
 “ a while, and that the permanent legislation we then hoped for, and still hope for,
 “ would, to a certain extent, lead to a gradual transfer by purchase, on fair and
 “ equitable terms, of the soil of Ireland to her people; and that evictions would
 “ in this way be permanently put an end to. I know of nobody connected with
 “ the land question who expects that the tenants of Ireland can obtain the owner-
 “ ship of their farms otherwise than by fair purchase. That was the original
 “ object of the Land League movement. Our efforts were to be directed—firstly,
 “ to putting an end to rack-renting, eviction, and landlord extermination; and,
 “ secondly, to enabling the tenant farmers to purchase their holdings upon fair and
 “ equitable terms. Neither my hon. friend the member for Tipperary, nor
 “ Mr. Davitt, expects that the tenants for Ireland can obtain their holdings upon
 “ any other terms than by buying them. Now, Sir, perhaps I may be permitted
 “ to refer to a speech I delivered at the commencement of this movement in Ennis
 “ in the autumn of 1880, which has been often quoted. I then recommended
 “ for the first time what has been thoroughly described as the practice of ‘ boy-
 “ cotting.’ In that speech I recommended that persons who took farms
 “ from which other tenants had been unjustly evicted—I believe there
 “ was some difference between the Government and myself as to whether
 “ I used the word ‘ unjustly ’ or not; but whether I used it or not, I
 “ intended to have used it, and I used it in subsequent speeches—that persons
 “ who took farms from which other tenants had been unjustly evicted should be
 “ isolated and placed in a species of moral ‘ Coventry,’ and I used the expression
 “ that they should be left ‘ severely alone.’ I desire, Mr. Speaker, to admit to the
 “ fullest extent that the practice of ‘ boycotting ’ which grew up subsequently to

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“ that speech, has been very much abused. It has been used not only against
“ persons who robbed their neighbours by taking their holdings from them after
“ they had been unjustly evicted—robbed them of their tenant-right, which had
“ not then been conferred by law, but which has since been recognised and
“ conferred by law—but it has been used against persons who refused to join the
“ Land League, who refused to illuminate their houses, and who refused to
“ subscribe to various popular movements. It has been used in a variety of other
“ ways which merit the severity, the most stringent condemnation. I agree with
“ my hon. friend the Member for Tipperary, that what I then recommended in that
“ speech at Ennis would not have been legitimate in a country where the law
“ protected the interests of the poor as well as those of the rich. It would not have
“ been permissible to have recommended it in a self-governed country. But the
“ House must reflect what were the circumstances which then existed in Ireland,
“ and what was the position in which the tenant farmers were placed. They
“ had just passed through three seasons of extraordinary and exceptional severity,
“ when many thousands of them—probably 100,000, of the tenant farmers of
“ Ireland—were only kept from actual starvation by the charity of the world.
“ The right hon. gentleman the Prime Minister and this House had, in the Session
“ of 1880, which was then over, made an ineffectual attempt to protect those men
“ from extermination.”

He then proceeds further on :

“ The Irish land question is a rough and thorny question, no matter which
“ end you lay hold of. But I freely admit that means which were recommended
“ then would not be permissible or allowable if the immediate object at which the
“ Land League aimed, namely, the protection of tenants from rack-renting,
“ eviction, and landlord extermination, could have been arrived at by the ordinary
“ process of law. We are now in this position. We are promised an Arrears Bill,
“ which, if it be carried, as it has been printed and read a second time, will
“ undoubtedly temporarily protect the small tenants of Ireland from unjust
“ evictions. I should have looked upon that step as an enormous advance, an
“ enormous safeguard. It would have given time for the further consideration by
“ the Government of what steps could be taken for the development of the Act
“ of last Session for its more speedy bringing into effect, for the more speedy
“ protection of the tenants under its operation. It would have given all parties
“ in the contest a breathing time—a breathing time which, I venture to say, and
“ which both my hon. friends who were with me in Kilmainham concurred in
“ believing, was very much wanted at that moment by all parties. The situation
“ has been changed—I shall explain a little further on how much changed—by
“ the introduction of the Coercion Bill by the Government; and I cannot help
“ thinking that very much of the tenor and character of the speech of my hon.
“ friend the member for Tipperary was due to the despair he feels in his heart at
“ the prospect that is before Ireland and her people under the provisions of this
“ Prevention of Crime Bill. It illustrates strangely the anomaly of the position of
“ Ireland in this House, that we are told that when that speech is made one of the
“ results is that 30 or 40 fairminded Englishmen who intended to assist us in
“ modifying this bill, in mitigating its harshness, and I would almost say its
“ brutality, have been driven away from our side. [Cries of ‘No.’] That is
“ what I am told. I myself do not wish to believe that that is the
“ case; but I would ask the House to make some little allowance for the
“ exigencies of Ireland, and for the position of her members, and to
“ remember that, after all, it is exceedingly difficult for English members
“ to understand the exact position of any Irish question, and if they do err
“ let them take care that their error be on the side of justice and mercy,
“ rather on the side of excessive coercion and harshness. If the Arrears question
“ had been settled, I should have advised that the movement should have been
“ conducted strictly within the laws applicable to England and Ireland. I am
“ now referring to the question of ‘Boycotting,’ I do not object, Mr. Speaker,
“ to the enforcement of any law against intimidation or incitement to intimidation,
“ but I object to the construction of a fresh offence of intimidation unknown to
“ your law, and which would practically make any legal or open combination

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“ impossible. I claim for the Irish tenants as much right to combine, as much
 “ right to combination as is allowable to English workmen, and no more; and I
 “ am perfectly willing that suitable definitions in accordance with the nature of
 “ the case—in addition to the definitions of the Conspiracy Act 1875—should be
 “ inserted in the present Bill to carry out this object.”

In the later discussion on the same Bill, June 6th, volume 270, column 334, Mr. Parnell said:—

“ He did not object to special cases of intimidation being forbidden and
 “ punishable by law; but he wanted to know what such acts were. It was all
 “ very well for the right hon. gentleman to say such and such acts were what the
 “ Government objected to; but they were not in the clause. Certainly it was a
 “ common thing, and an act of intimidation to send——

It was *not* a common thing, I fancy, it should be——

“ to send a bellman into a town or village to call upon the people to ‘Boycott’ a
 “ certain person; and he did not desire, but should reprobate that practice. If
 “ such things had happened during the last six months, it was because consti-
 “ tutional agitation had been put an end to, and people had been driven to put up
 “ illegal notices, and to resort to other practices that were illegal. He did not
 “ defend those practices, for they were clearly illegal, and he should be perfectly
 “ willing to give the Government power to punish men for such acts; but this
 “ clause went much further than that——”

and so on. I may take it shortly, without troubling the Court with more citations from the speeches, you were in favour of the introduction of clauses which would meet the cases of intimidation, or any acts of violence?—Undoubtedly, and leave to the tenants the same right of combination that exists in England with regard to working men—artisans.

62,235. Which is regulated by the Act of 1875?—Yes.

62,236. I wish to bring you to another matter. I think the rest of the re-examination will be rather irregular in order of date, more or less following the order of the Attorney-General which was not in order of time, there are some points I shall have to ask you about. I think you were not aware on Friday of the suggestion—not an order, I think, but a suggestion of the Court as to your books and accounts being seen?—No, I heard about it for the first time from their Lordships.

62,237. I think on Friday you went away into the country and did not see your solicitor or counsel until you came into court yesterday morning?—Just so.

62,238. Have you any objection as regards any accounts being seen as to which there is any suggestion made?—Not at all, I think it is quite legitimate that my accounts should be seen during these periods when these outrages and disturbances occurred.

62,239. I should like to ask you one or two questions about those accounts, for I am not sure that I myself understand them. In 1879 had you any account at the Hibernian Bank?—Yes, up to the end of 1878 and the beginning of 1879 I had an account at the Hibernian Bank, Dublin.

62,240. A private account?—A private account.

62,241. Was that what I may call an active account after 1878–79?—Not after the commencement of 1879, it was not an active account.

62,242. What I mean is, did you pay any money into it or draw any money out of it or did it lie dormant?—It laid dormant, and has laid dormant, practically speaking, from that day to this.

62,243. During that time your agent, Mr. Carr, was managing your property?—Yes, he had his accounts for the payment of the estate expenses and so forth.

62,244. And the estate charges?—And the estate charges and labourers and so forth, and he used to receive any rents that he could get.

62,245. Like other landlords, had you to make large reductions in your rents?—Of course I had to make larger reductions than other landlords.

62,246. What did come to you came through Mr. Carr?—Yes, there was not very much came to me.

62,247. The testimonial presented to you was when?—At the beginning of 1883.

62,248. And was the amount of that testimonial lodged as deposit at any bank?—Yes, lodged at the National Bank, some of it, on deposit receipt.

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62,249. And was an account opened in 1883 and principally fed, I think, by the withdrawals from that deposit?—Yes, I also had remittances from the committee from time to time.

62,250. That is to say it was not paid as one lump sum?—It was not paid as one lump sum?

(*The President.*) It is extremely difficult to follow this usefully from the mere statement of what was done. I would suggest that these accounts should be produced to Mr. Cunynghame, and with the assistance of counsel he should go into and call our attention to them if necessary.

(*Sir C. Russell.*) Yes, my Lord, that would be a very convenient course.

(*The President.*) He could call our attention to anything which he thinks at all bears upon the matter.

(*Sir C. Russell.*) I have not the least objection to that at all. It would be a very convenient course.

(*The President.*) Or if Mr. Asquith or any gentleman on the other side would do it.

(*Sir C. Russell.*) Mr. Asquith and Mr. Graham.

(*The President.*) If you would go into it we might by that means see what parts are necessary to consider.

(*Sir C. Russell.*) I do not at present know what turns upon them. We have had no information so far, but I think it will be necessary to get what accounts did exist.

(*The President.*) Oh, yes,

62,251. (*Sir C. Russell.*) Then I understand from 1879 to 1883, the testimonial period, you practically had no account except this dormant account at the Hibernian Bank?—No private account except the dormant account.

62,252. First of all the Land League—which is the bank of the Land League?—That was at the Hibernian Bank.

62,253. And in whose name?—It would have been originally in the names of Mr. Biggar, W. H. O'Sullivan and Mr. Egan—they were the three treasurers originally, and subsequently D. Kenny became treasurer; then later on Mr. Maloney, and that would have been in 1881. Dr. Kenny became the treasurer, and Mr. Maloney about that period also, after Mr. Egan's departure for Paris, and then after the arrests and the suppression of the Land League, the Ladies' Land League took possession of everything, and their treasurers were—I do not know that I recollect them particularly, Miss —, some of these ladies——

62,254. (*The Attorney-General.*) If he does remember the names we should like to have them?—Miss Stritch was one of the treasurers, to the best of my recollection.

62,255. (*Sir C. Russell.*) That is a body which you dissolved as soon as you could after you came out again?—That was a body I asked to dissolve and it did dissolve.

62,256. Promising to discharge their liabilities?—Yes.

62,257. Were you yourself at all treasurer for any of these?—Not for any of these.

62,258. What were you treasurer for if for any. I understood you to make some reference to Paris Bonds?—I was one of the trustees who held the Paris Bonds—the bonds in Paris.

62,259. (*The President.*) What were the Paris Bonds, some portion of the League funds which had been invested in that way?—Yes, from time to time.

62,260. (*Sir C. Russell.*) After the suppression of the League was it, or before?—At all times; we have been investing it at different times.

62,261. Were those Paris Bonds, or merely bonds that were in Paris?—They were bonds that were in Paris; they were American Bonds. We sent them there because we did not know but what the Government might seize our money at any time.

62,262. I understand that this is all proved—so I am told—I was not here at the moment—in the evidence of Hardcastle, the accountant. I think you have already been asked the general question, but I must put it to you again. So far as your own acts or your knowledge of the acts of any of your colleagues is concerned, is it true to suggest that one penny of the funds of the Land League or of the National League were applied to any improper or illegal purpose?—I believe it to be absolutely untrue.

62,263. As far as you know, or at any rate so far as you are concerned, that is not so?—No, or so far as I have ever heard.

62,264. On the question of the books I have to ask you one or two points. First of all, had you yourself at any time anything to do with the books?—No, the only thing

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I recollect about the books is looking at the cash book and seeing that it was not properly kept.

62,265. Was that the occasion on which you found it necessary, seeing the way the books were kept, to call in Mr. Arthur O'Connor?—That was the time.

62,266. And Mr. Arthur O'Connor, we have more than once heard, proceeded to call in an accountant for the purpose of putting them in shape?—Yes, Mr. Phillips.

62,267. Then followed, within a very short time after that, your arrest and the other arrests?—Yes.

62,268. And do you recollect Mr. Arthur O'Connor coming to Kilmainham to consult with you?—Undoubtedly, and I advised him to leave the country and not to run any risk of being arrested.

62,269. And have you had at any time, except the reference to the cash book already stated, any knowledge of, or have you had any control of the books at any time?—Not the slightest.

62,270. You said you had been informed that Mr. Maloney was subpoenaed for the "Times"?—Yes, I heard that some time ago.

(*Sir C. Russell.*) I do not know whether it would be convenient now to have the affidavits read. I think it is the affidavit of Dr. Kenny.

(*The Secretary.*) I think I have the copies here. Is it the affidavit of documents you mean, Sir Charles?

(*Sir C. Russell.*) Yes.

(*The Secretary.*) I have them all here.

(*The same were handed to Sir C. Russell.*)

62,271. (*Sir C. Russell.*) I will just go on meanwhile. We have heard about some books, we will hear from Mr. Arthur O'Connor what they were being removed from Dublin?—Yes.

62,272. Did you also hear of a Government raid being made upon the Land League offices?—Yes, my impression is that there was.

62,273. Do you recollect, was that after Mr. Arthur O'Connor left or before?—I should think that would be after Mr. Arthur O'Connor left. Everything was left in the most extreme state of disorganisation by these arrests; there was no responsible person in charge of anything.

(*Sir C. Russell.*) My Lord, this is the affidavit of Dr. Kenny which I wish to call your Lordship's attention to. He says he was the treasurer of the Irish Land League.

(*The Attorney-General.*) That is not the beginning, I suppose?

(*Sir C. Russell.*) No, the first is:—

"According to the best of my knowledge, information, and belief."

This is the second paragraph—

"I was treasurer of the Irish National Land League from about the month of February 1880 until the month of October 1881. During that period there was in my possession the following books of the said League: the banker's pass book with the Hibernian Bank, cash book, cheque book, returned cancelled cheques. Such books and documents passed out of my possession in the month of October 1881, when I was arrested and confined in the Kilmainham prison. I believe the said books and documents then passed into the possession of Mr. W. F. Maloney, who was himself within a short period after my arrest also arrested and imprisoned in Dundalk gaol, and I am not aware into whose possession the said books and documents then passed; the said books and documents have never since my arrest been in my possession or under my control."

62,274. That is so much as regards the Land League. We heard from the Attorney-General the address of this gentleman. I think he put the address to you?—Mr. Maloney's address?

62,275. Yes?—Yes.

62,276. You did not know it apparently?—No, I had not heard it.

(*The Attorney-General.*) I did not put his address; I put his business address, where he was employed.

(*Sir C. Russell.*) Well, that means finding him. In paragraph 4 he goes on as to the National League:

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“ I became treasurer of the Irish National League in or about the month of September 1886, and have acted in that capacity up to the present date. The following books of the organisation are in my possession, jointly with Mr. Timothy Harrington, M.P. bank book with the Hibernian Bank, cash book, cheque book, returned cancelled cheques from September 1886 to the present date.”

So that that apparently is all the books. Would you give me the affidavit of Mr. Arthur O'Connor and Mr. T. P. O'Connor. [*The originals were sent for.*]

(*The Attorney-General.*) Amongst those is Mr. Arthur O'Connor's.

(*The Secretary.*) I have not looked, I thought he said he had none.

(*Sir C. Russell.*) Mr. T. P. O'Connor.

(*The Secretary.*) Yes, he made a full affidavit.

(*The Attorney-General.*) I think Mr. Arthur O'Connor said he had not one, and never had had.

(*Sir C. Russell.*) Mr. T. P. O'Connor says this relating, I think, to the National League of Great Britain :

“ I am, and was president of the Irish National League of Great Britain, now called the National League of Great Britain. I have never had any books except technically as president, but, with the desire of giving every information to the said Commission, I have obtained a list of the said books, which shall be produced for the inspection of the solicitors for the defendants.”

And then he gives :—

“ The Confederation cash book, day book, cash book, and ledgers from 1874 to 1877, and from 1881 to 1883, minute book, day books, and so on, all of which will be produced.”

62,277. I have a few odds and ends, Mr. Parnell, to ask you about?—There is something about the cheques that I was asked to explain yesterday.

62,278. I was going to ask you something about them in a moment or two. You have been asked some questions about a gentleman named Doran of Queenstown?—Yes.

62,279. You were asked about a conversation with him. Has he always been as you understood an avowed opponent of your Land League movement?—I always understood him to be such, but I have not heard anything of him for a number of years.

62,280. Then you were asked about Mr. Nolan, who is now a member for one of the divisions of the county?—Yes.

62,281. Until you met that gentleman in 1885 at your Rotunda meeting in Dublin, had you ever met him at all?—I had never met him at all. He was suggested at the meeting of the party. I had never either met him or heard of him before. He was suggested at a meeting of the party as a suitable candidate for the purpose of opposing Mr. Philip Callaghan, and it was stated at the time that Mr. Callaghan was supported by the physical force section.

62,282. I do not wish to enter into that branch of the matter at all, please?—It has some reference to the questions I was asked.

62,283. If it has, of course you may say it?—And I am disposed to think that my reference to Mr. Nolan, at Dundalk, during the election, was rather in consequence of what I suspected about him than from what I had actually heard of him.

62,284. I understood that he had sent not to you but had sent to his friends in America some recommendatory notes?—Yes, he told me so just before that meeting at which he spoke.

62,285. In 1885, you mean?—Yes, in 1885.

62,286. They were not letters which you had brought with you?—No.

62,287. Or had you been made aware he had sent them?—I did not know he had sent them at the time.

62,288. He himself lived in Liverpool, I think?—Yes.

62,289. And living in Liverpool, he made the acquaintance of——?—He would see a great many Irish-Americans coming backwards and forwards; he would have an extensive acquaintance in America.

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62,290. Do you know anything about Mr. Nolan other than respectable?—Nothing whatever except that it was supposed he was connected with this physical force movement long ago.

62,291. Twenty years ago?—Twenty years ago.

(*The Attorney-General*) Do not suggest 20 years ago.

(*Sir C. Russell.*) I was asking.

62,292. (*The President.*) Many years ago?—I should think over 20 years ago.

62,293. (*Sir C. Russell.*) So far as the opinion of the members of your party are concerned, when they joined your party, I understand that Mr. Biggar was the only one of the party who told you what he had been?—He was the only one; but since this case has come on I have made inquiries, and have learnt more from the gentlemen themselves.

62,294. So far, Mr. Parnell, as your knowledge is concerned up to the present moment, have any of those gentlemen, who were formerly members of the Fenian body, since they joined your movement in any way, directly or indirectly, had anything to do with it?—I am quite convinced and persuaded that none of them have had anything to do with any Fenian movement or organisation since they became members of any movement and party.

62,295. That is as far as your knowledge extends?—That is my firm belief and impression.

62,296. Now, I must ask you one remaining question, I think. As regards the continued opposition of the Fenian organisation, such as it was, and the leading members of it to the Land League, you have referred to the Rotunda meeting, to the incidents at Blarney to the meeting at Dumbarton?

62,297. (*The Attorney-General.*) I beg my friend's pardon; he has only referred to Enniscorthy and the Rotunda meetings?—And Dumbarton.

62,298. (*Sir C. Russell.*) You did not refer to Blarney?—No.

(*The President.*) I did not remember Blarney.

62,299. (*Sir C. Russell.*) No, it is my mistake?—I had not recollected the incident at Blarney.

62,300. Well, tell us what the incident at Blarney was?

62,301. (*Mr. Justice A. L. Smith.*) What date was it?—It was in 1881, I think. It was some time in 1881.

62,302. (*Sir C. Russell.*) A different date is suggested to me?—Or the end of 1880. I am inclined to think now it was the autumn of 1880.

62,303. Will you tell us, please, what was this incident?—I was to leave the train at Blarney for the purpose of proceeding by road, escorted by the farmers of the county, into Cork. It was some few miles from Cork, and when we left the train for that purpose, and the procession had started it was attacked by a large party of these men from Cork, the physical force party, who proceeded in the way that I have already described to your Lordships, drew their revolvers and attacked the procession and stopped it. There was considerable confusion. The farmers retaliated, and there was a fight between my party and this party. However, the result was that it was agreed that if the physical force party were allowed to select two from amongst my friends as hostages and carry them away, that they would allow us to go into Cork in peace. This was done. Mr. Cronin, I think, and Mr. O'Brien were taken out of their carriages and carried off, and kept away from Cork by these people for the day.

62,304. Was the O'Brien you mention Mr. William O'Brien or Mr. O'Brien, the Mayor of Cork?—He was subsequently Mayor of Cork.

62,305. John O'Brien?—Yes.

62,306. He was an officer, I think, at that time of a branch of the League at Cork?—Yes.

62,307. You have mentioned the Enniscorthy incident. Did an incident in reference to a meeting at Sligo come to your knowledge in relation to Mr. Davitt?—Yes; I heard that Mr. Davitt met with some interruption at Sligo—he and Mr. Brennan.

62,308. No, Mr. Brennan, I think, was at Claremorris. However, Mr. Davitt will tell us about that?—I have heard generally of these attacks upon other members of the party, but of course I am not so familiar with them.

62,309. Is it or is it not correct that as late as 1885 at the conventions for the selection of candidates for Parliament, this party——

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(*The Attorney-General.*) Was Mr. Parnell there?

62,310. (*Sir C. Russell.*) I believe he was at all the conventions?—I was at these two conventions.

62,311. I am going to mention three?—If you mention them I can tell you.

62,312. Galway, Tipperary, and Mayo are the names given to me. Did they put forward candidates of their own?—At Galway, and at Mayo, and at Tipperary. Tipperary was not the General Election. It was a preceding election—a by-election. We will take that first. At the Tipperary convention——

62,313. I do not want to take it in detail at all, Mr. Parnell?—No; well, roughly speaking, they did put forward a candidate against my nominee, Mr. John O'Connor; opposed him, and carried the Convention against him, and I was obliged to call another Convention, go over to Ireland personally from London and rescind the resolution which they had passed.

(*The Attorney-General.*) Will you give the name of the candidate?

62,314. (*Sir C. Russell.*) Who was the candidate at Tipperary, do you recollect?—A gentleman named Ryan or O'Ryan.

62,315. Now, in Mayo, was the candidate Mr. P. W. Nally?—In Mayo the candidate they brought forward later on was Mr. P. W. Nally who was at that time in jail and they gave us a great deal of trouble there also; but we had the majority of the convention and succeeded in carrying all our candidates against them.

62,316. I think it was on that occasion that you had carried your point—that you made that speech which may be called a soothing speech?—Yes, outside afterwards.

62,317. With reference to Nally?—Speaking with personal respect of Mr. Nally, and I feel just in the same way about him so far as he is personally concerned.

62,318. I wish to ask you this about J. W. Nally—that is the man who has been known as “Scrab Nally.” Did he ever speak to your knowledge at any meeting after the State trial in the end of 1879–1880?—No; I took care that he should not be allowed to speak at any meetings after his speeches were brought to my attention at the State Trials in 1880.

62,319. He was one of your co-conspirators or defenders?—Yes, the Government charged him along with me.

62,320. These speeches, as the Court will recollect, have been read almost entirely—if not entirely, certainly almost entirely—I think entirely—not from newspapers, but from the Government shorthand reporter's notes?—Yes.

62,321. Were his speeches ever reported so as to be brought to your attention?—I never saw a report of a speech of his.

(*Sir C. Russell.*) I think I am right in that. None of them were read from newspapers, but all read from notes taken by police constables.

(*The President.*) Yes, it may be so; but at that time evidence as to that part of the case had been given with considerable strictness, and I do not think reports from newspapers had been admitted.

(*The Attorney-General.*) It is not correct that Nally's speeches were not reported in the paper.

(*The President.*) It would depend upon whether they were in any of the newspapers which represented individuals amongst your clients.

62,322. (*Sir C. Russell.*) At all events, the point I am upon is this, your attention had not been drawn to them?—No; they might have been reported in some of the local papers; of course there were a great number of speeches, and it was impossible to follow them all.

62,323. (*Sir C. Russell.*) My Lords, I had not recollected that a different course was pursued. I have no doubt your Lordship is quite accurate. I can only say I should be very glad if they would show any newspaper reports of any of these violent speeches so far as they are evidence in your Lordship's view?—Then here was the subsequent convention at Galway, where they also opposed one of their nominees—this same physical force party, and where we succeeded in carrying all our candidates.

62,324. (*The Attorney-General.*) How many nominees?—I forget how many at this moment.

62,325. (*Sir C. Russell.*) I am told the name is John McCarthy?—I think so, but of course during these years, after the Land League movement had become strong, they did not act in the same way as they did in the earlier stages of the movement; that is

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to say, they did not oppose us so openly. Their action was chiefly subterranean and underground.

62,326. I think I have already asked you about Mr. Finerty, who has been referred to. He is the gentleman who was in the minority of one at the Chicago Convention of 1886?—Yes, he had no support there.

62,327. Now, in reference to Mr. O'Meagher Condon, who appears in a publication which the Attorney-General read, to have taken credit to himself for having procured you a hearing at Washington?—Yes.

62,328. Do you recollect that?—Yes, perfectly.

62,329. Had he anything to do with that as far as you know?—I should think he took a leading part in the proceedings at Washington, as a member of the reception committee, and very possibly may have been the chairman of the reception committee.

62,330. Have you had any communication with Mr. O'Meagher Condon since that visit to America?—No; as a matter of fact Mr. O'Meagher Condon refused to come into the Land League. He never joined it.

62,331. He refused, as well as Dr. Carroll?—He refused, as well as Dr. Carroll. They were both at the meeting at the New York hotel where I formed the Land League: but they both left the meeting and refused to take any part in its proceedings, and did not come into the Land League.

62,332. Now, in addition to the papers that have been referred to, will you just tell us is there a paper called the "Boston Pilot"?—Yes.

62,333. And the "Catholic Times"?—Yes.

62,334. And the "Union of New York"?—Yes.

62,335. Do those papers belong to what you would call the Conservative section of Irish politics?—Those would be representative of the Conservative section of Irish politics in America.

62,336. And did they all support you all through in America?—All through. They never wavered. I should look upon the "Boston Pilot" and journals of that character as being more truly representative of me and my policy in America than any other paper.

62,337. Now, you have been asked also about Mr. Devoy. Let me first ask you this about Mr. Devoy. Was Mr. Devoy ever an officer in the American Land League at all?—No, he never was so far as I know or have ever heard.

62,338. Whatever he may have written or may have said at one time, you are aware he attended as a delegate that Convention at Chicago in 1886?—Yes.

62,339. And opposed Finerty?—Yes, he did. He appears to have been opposed to the dynamite policy at that time.

62,340. The Attorney-General put certain names to you, amongst the organisers here who were employed in Ireland asking you whether they were or were not or had or had not been connected with some secret society. I think you mentioned Mr. Harris and Mr. J. J. O'Kelly as being in that category?—And Mr. Sheridan, yes; those are the only three that I can recollect.

62,341. I will just give you the names of a few others:—John Walsh, of Cork; Heffernan, Kildare; Butterfield, Ulster; Rev. Herold Rylett; Boyton; M'Closkey; Parke, Donoghan; Beguin. Were they amongst the organisers?—These were all organisers.

62,342. I believe it is right to say, in passing, the Reverend Harold Rylett was an honorary organiser; he was not a paid one?—I think he was regularly appointed an organiser, but I cannot say whether he received a regular salary or not.

62,343. I am told not. Were any of those persons whose names I have mentioned, so far as you know, connected in any way with any secret society?—So far as I know, or have ever heard, none of them were.

62,344. Now, the Attorney-General has suggested, as a charge against you, that you opposed in Parliament the passage of the Criminal Code Bill. Do you recollect the Attorney-General asking you about that?—Yes.

62,345. Which contained clauses as to secret societies?—Yes.

(*The Attorney-General*) I did not suggest it as a charge against him.

62,346. (*Sir C. Russell.*) Well, as an incident. It was before the Parliamentary Committee. You were opposing, I think, Sir Henry James?—Yes.

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[Continued.]

62,347. Were you joined in that opposition by Lord Randolph Churchill, the present Lord Ashbourne, and Sir John Gorst, amongst others?—Yes, and Mr. Raikes, the present Postmaster-General; in fact, we assisted the Conservative party to obstruct that Bill to death.

62,348. Now, you were asked something about assisting in defending some case at Tubercurry, I think it was, in May 1881, as well as I recollect; I am not sure. Do you know whether the person or persons defended were acquitted of the charge brought against them?—Yes, they were either acquitted or the charge was withdrawn. I think it was some place in Roscommon.

62,349. Now, with reference to one case you were specially pressed about—whether the League had not furnished the means of employing counsel in the case of certain persons charged with moonlighting. Do you recollect the case to which I refer?—Yes, that was down at the Cork Winter Assizes.

62,350. With which the man Connell was mixed up?—Yes, he was the informer.

62,351. Was he the man who was known as the original Captain Moonlight?—Yes, he called himself that, I think.

62,352. Is it a fact that in that case there were some 65 men arrested?—Yes.

62,353. Of whom, I think, three were found guilty?—I think only three of the number were found guilty.

62,354. Now, I must ask you, whether it is an impression well-founded or ill-founded, is there in Ireland a widespread distrust of the administration of the law?—Undoubtedly there is, and, in my judgment, there is very great reason for it.

62,355. Has that been increased or not by the withdrawal from juries of matters which in this country are referred to the arbitrament of juries?—It has been very much intensified and increased by that withdrawal.

62,356. You have already referred in the course of your speech, which I read this morning, to alleged jury-packing?—Yes.

62,357. Has that been a matter which has been again and again brought before Parliament?—Over and over and over again, in the history of Ireland.

62,358. And details and instances given?—Yes.

62,359. I do not know whether you have examined at all the paper put in as evidence against one of the Mr. O'Brien's—not Mr. William O'Brien; I forget his name?—Patrick—no, I have not seen that.

62,360. Then I will not ask you upon it. I think two other cases were referred to by the Attorney-General of defences of prisoners, one being a man called McHugh, in Roscommon?—Yes.

62,361. Was he also acquitted?—I think he is the one I was referring to. He was the one I supplied money to defend—I think so.

62,362. That is the same case?—I am inclined to think that that is the case.

62,363. I did not mean to refer to it again, but let me refer to the Weston House case. I understand Mr. Harris came and made a statement to you?—He wrote to me. I do not think he mentioned the particular case, but he said he had engaged to defend.

62,364. (*The Attorney-General.*) Have you the letter?—I am not sure whether I have Mr. Harris's original letter, but I think I can make out from my reply to him what he wrote to me about.

62,365. Have you your reply?—I have not it at this moment. I forgot to bring it to the Court, but you shall have it to-morrow.

62,366. (*Sir C. Russell.*) You have since got your letter from Mr. Harris, have you?—I have not, but I have the reply. I wrote to Mr. Harris at the time.

62,367. How did you get that. From the shorthand notes?—Yes. From the shorthand notes—Mr. Campbell's shorthand notes.

62,368. (*The Attorney-General.*) I should like to see this book, if there is a letter-book of Mr. Campbell's shorthand notes?—Certainly.

(*Sir C. Russell.*) I have not the least objection. It has nothing to do with this matter.

62,369. As regards this case, I do not know whether I was wrong about it, but I think some previous allusion was made to it as being during the time of the Ladies' Land League. Is that so?—Yes, that is so.

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[Continued.]

62,370. Was that a liability in their time?—It was a liability in their time. I understood Mr. Harris had entered into it before I came out of Kilmainham. That was my impression from his letter.

62,371. I think you sent him 50*l.*?—I sent him 50*l.*

(*The President.*) I think, Sir Charles, there has been a misapprehension as to what was required to be disclosed. We now learn for the first time there is a shorthand book of letters of Mr. Parnell's, which, presumably are for the business of this Land League.

(*Sir C. Russell.*) I do not know that it bears on the business of the Land League a bit.

(*The President.*) It is presumable it does to some extent.

(*Mr. Justice A. L. Smith.*) There is one letter, anyhow.

(*The Attorney-General.*) There is the particular letter you suggested.

(*Sir C. Russell.*) I really did not see, and do not see still, what is the charge or allegation to which it does refer.

(*The President.*) What I am calling attention to is this—that any book of letters of Mr. Parnell which do in any way relate to the Land League ought to have been disclosed, and Mr. Parnell's attention ought to have been called to that necessity.

(*Sir C. Russell.*) Will your Lordship just ask whether they do, for I do not know whether they do or not, or anything about it.

(*The President.*) This particular letter appears to relate to it.

(*Sir C. Russell.*) My Lord, I do not so understand it, with great deference.

(*The President.*) Not the employment of counsel to defend prisoners? That is one of the things we are inquiring into.

(*Sir C. Russell.*) This was after the trial was all over, as I understand.

(*The President.*) You may know that; but that I have not yet learned.

(*Sir C. Russell.*) Yes, long ago it was mentioned.

(*Mr. Justice A. L. Smith.*) What he says is that he is able to tell what Mr. Harris's letter to him about this Weston House business was by a copy in his short-hand letter book, taken by Mr. Campbell, of a letter from him (Mr. Parnell) to Mr. Harris. If that has not got to do with this inquiry, what has?

(*Sir C. Russell.*) If your Lordship says it has, it must be so, I presume.

(*Mr. Justice A. L. Smith.*) If it has nothing to do with it, why are you examining Mr. Parnell on the point?

(*Sir C. Russell.*) Because it was asked in cross-examination, simply because I did not wish to leave anything untouched.

62,372. Mr. Parnell, you have heard what my Lords have said?—Yes.

62,373. Have you any objection to this?—Not the slightest. Their Lordships are perfectly welcome to all my letters. Their Lordships are perfectly welcome to any letter I have ever written or ever received.

62,374. I was going to ask you about some payments which appear in that book—the account, I think it is, of the National Bank. Is not it so?—Yes.

62,375. Will you produce those two small books. I will leave this, my Lord, if your Lordship thinks it is more convenient, until after Mr. Cunynghame has seen them, but I think there are one or two of these matters I ought to call attention to.

(*The President.*) Yes, by all means.

62,376. (*Sir C. Russell.*) There is a payment, for instance, to Mr. Boyton in February of 1884. Do you recollect being asked about that?—Yes.

62,377. You said that Mr. Boyton was in poor circumstances. Had he, in fact, suffered in his imprisonment serious injury to his eye-sight?—Yes, he had lost to a great extent his eye-sight, and was not able to carry on his previous profession.

62,378. What was his profession?—I believe a civil engineer.

62,379. And this was a cheque from yourself and from your private means to help him?—Yes, I gave him, I think, a couple of cheques.

62,380. You mentioned Miss M'Closkey, I think. That cheque was in aid of the attempt to establish cottage industries in Donegal?—Yes.

62,381. (*The Attorney-General.*) That was not the evidence. The evidence was it might be a Miss M'Closkey who was connected with the Land League. There was another M'Closkey who had something to do with the Land League?—Well, I think she was the same.

(*The Attorney-General.*) Very well; you now say she was the same person.

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[Continued.]

62,382. (*Sir C. Russell.*) The other was a man. Miss M'Closkey (I am told; you will tell me if I am right) was the lady who was interested in the Cottage Industry?—Yes, Miss M'Closkey; I believe it was a lady.

62,383. And the man M'Closkey was an organiser?—No, I think there was a Miss M'Closkey who was connected with the Ladies Land League, and who subsequently established this industry.

62,384. I think two names especially were referred to by the Attorney-General, because of their identity with two names which have been mentioned here. One was a small cheque to a person of the name of Byrne?—Yes.

62,385. Are you able to say what that was? What was the amount of the cheque, and what was it for?—Yes, I have looked that cheque up. It is a cheque for 5*l.* to Lawrence Byrne, Esq., dated February 2, 1884. It was my subscription to the Wicklow Harriers.

62,386. There is a name also mentioned before the Court. Gallagher was the name?—Yes, it was not Gallagher the dynamiter. This Mr. Gallagher is connected with the "Freeman's Journal" in Dublin—J. B. Gallagher, Esq. He was the treasurer of the fund which was raised by the "Freeman's Journal" in aid of the family of the late Mr. A. M. Sullivan, after his death. And I gave this 50*l.* as my subscription towards that fund. There are two other cheques which I was asked about, and which I could not explain, the cheques made payable to the National Bank, Dublin, for 500*l.* each. These cheques, my Lord, were in payment of my shares in the Migration Company, which we had formed under the Tramways' Act of 1883.

62,387. (*The President.*) From one part of Ireland to another?—For the purpose of removing the congestion in the congested districts.

62,388. (*Sir C. Russell.*) In reference to the company which established from these newspapers "United Ireland," just tell the Court what part you have had to do in relation to that matter?—In reference to the company?

62,389. Yes?—I employed the late Professor Baldwin.

62,390. I am talking of the papers?—Oh, the "United Ireland" papers?

62,391. Yes, I am not talking of the Migration Company?—Oh, I beg your pardon. The "United Ireland" paper I have had practically nothing to do with since its purchase. I negotiated the purchase with Mr. Pigott under the advice of Mr. Egan and in consultation with Mr. Egan, and I asked Mr. William O'Brien to assume the editorship of the paper. I explained to him briefly the principles upon which I wished the paper to be conducted, and I asked him whether he was willing to conduct the paper upon those lines. He said that he was, and he said, at the same time, that he should claim for himself a full discretion with regard to the practical conduct of the newspaper, but that if at any time I had reason to consider that the paper had materially diverged from my views and my policy and the principles which I thought ought to be carried out, that I could then give him a summary notice and get somebody in his place.

62,392. So that he was absolute editor, with discretion and power to you to determine at any time his position?—Yes.

(*The President.*) With regard to that amalgamation of these papers there were produced to us by Mr. Lewis some documents relating to this purchase. We did not consider at the time that it was necessary to disclose them to the other side. It was long before we knew anything about Mr. Pigott; but I think they should be disclosed. I do not remember that there is anything in them, but they ought to be disclosed.

(*Sir C. Russell.*) Certainly, my Lord, we have no objection.

(*The President.*) There is another observation I have to make with regard to it. You have got the "Irishman" subsequent to its purchase by Mr. Parnell and others. Have you got a preceding volume?

(*The Attorney-General.*) We can get it. I think it is actually here.

(*The President.*) I think we ought to have the opportunity of referring to that also.

(*The Attorney-General.*) Certainly.

Adjourned for a short time.

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[Continued.]

62,393. (*Sir C. Russell.*) Now, Mr. Parnell, as regards "United Ireland." I was going to ask you a question when the Court adjourned. I think you made that statement, which you have now given as to Mr. O'Brien's position, in the House of Commons in January 1884?—Yes, I think I did refer at that time to it.

(*Sir C. Russell.*) My Lord, it is volume 289, column 715. It is the 17th June 1884:—

"Although, Sir, I am a considerable shareholder in the 'United Ireland' newspaper, I have never taken any part in the management of the paper. The management is intrusted by the Company to my hon. friend the member for Mallow (Mr. O'Brien), who has always shown the greatest ability and discretion in the discharge of his duties."

62,394. I think I have only two other questions to put to you. You wished to refer to two speeches that you made out of the House, one at Manchester and the other at Newcastle?—Yes, at Newcastle.

62,395. They may be put in at any other time. Was your speaking outside the House of Commons in conformity with the quotations which have been read from speeches inside the House of Commons?—Yes, they properly explained the attitude I took up—they were consistent with each other.

62,396. Now, in addition to the speeches which were made ordinarily at meetings, was your last proceeding at the meeting in relation to reasoning against outrage?—Yes.

62,397. Are you aware that in the pastorals of the bishops and archbishops —

(*The Attorney-General.*) If any document is going to be produced, it will speak for itself——

(*Sir C. Russell.*) All in good time. I am asking generally.

(*The President.*) I think it is going beyond now. You are going to ask him the general question; we will assume that.

(*Sir C. Russell.*) Then I will not trouble him about it.

62,398. Have you had compiled—I am not going to trouble and put it in now, but have you had compiled cuttings from the papers, and particularly from the "Cork Daily Herald," this volume, in fact, which bears upon reasoning against crime?—Yes.

62,399. And the policy and propriety of crime?—Yes.

62,400. And in relation to the action of the local branches bearing upon that subject?—Yes.

(*Sir C. Russell.*) It is endorsed:—"Extracts from the 'Cork Daily Herald' denunciate of crime," and it comprises extracts from speeches, resolutions of the local branches, and of reports of the Land League meetings. This is a statement I am not going to trouble you with now.

62,401. (*The Attorney-General.*) Is the "Cork Daily Herald" an organ of the Land League?—As much an organ of the Land League as the others, such as the "Nation."

62,402. Is it an organ of the Land League?—I do not know what the definition of organ is.

62,403. (*Sir C. Russell.*) Was it in sympathy with the Land League movement?—It supported the policy of the Land League movement.

62,404. If that makes it an organ it was. To whom did it belong?—It belonged to an alderman.

62,405. Was it Alderman Hooper?—I think the editor was Alderman Nagle, I think he was the proprietor, and afterwards Alderman Hooper.

62,406. As far as the Land League as a body was concerned, they had no property interest in it?—Not the slightest, and the property interest of the Land League in "United Ireland" was not existent; the property of "United Ireland" was not purchased by the Land League; it was purchased by Mr. Egan and myself. We had the control of the funds in Paris at that time, and it never was under the management of the Land League, then or subsequently.

62,407. (*The President.*) It is clearly understood we take it to be the organ of the Land League?—Of course, my Lord, I do not know what the legal effect of any admissions of that kind may be; but I have endeavoured to explain to your Lordships

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[Continued.]

fully the circumstances of our connexion; but it certainly never was under the control of the Land League, and never was under the control of the National League at any time.

62,408. (*Sir C. Russell.*) Except in this sense that if you were dissatisfied with its editorship you could have dismissed Mr. O'Brien as the editor?—Yes.

62,409. The Attorney-General pressed you in his cross-examination whether there was not a policy of dynamite in August 1881, and referred to an article in "United Ireland," but he did not read it. It is in the paper of August 20, 1881, and is headed Premium on Dynamite. It is referred to at page 4094 of the evidence, my Lord. I think the Attorney-General was misled by the heading. The article is:—

" A PREMIUM ON DYNAMITE.

" The worst infernal machine giving the most damaging and damning to
 " English rule in Ireland, is the average English newspaper. It fattens on the
 " terrors of its readers, and pays in the most princely manner for all that is
 " murderous and horrible—especially if it can be made out to be related to Ireland,
 " even as the German language is to the German flute. If the great British
 " nation choose to be like Goldsmith's 'Mr. Croker for ever smelling about for
 " gunpowder,' that is their affair. But there is another side to this question
 " which is aptly illustrated by the way in which the English newspapers have
 " treated the Irish National Convention at Chicago. So long as the Convention
 " was thought to be plotting experiments with dynamite upon English war ships,
 " barracks, and town halls, its deliberations were watched with absorbing
 " eagerness and respect. An army of English correspondents waited at its doors
 " with enormous bribes for the smallest word of what was going forward. The
 " cable told us that several thousand 'lodges' were represented—that those
 " terrible fellows O'Donovan Rossa, erst of Kibbereen, and Crowe, of Peoria,
 " were on the warpath—that a plan for the separation of the British
 " Empire had been settled upon and all but carried out. Then came
 " a rumour that the friends of dynamite had been outvoted and had made off
 " on dudgeon; whereupon it was discovered that the 'importance of
 " 'the assemblage had been greatly overrated.' Even then there was some
 " comfort in manufacturing stories of furious encounters between dynamite and
 " anti-dynamite—hopeless dissensions about the funds—a sort of all-round
 " Donnybrook such as rejoiceth the British heart. Finally it came out that the
 " English correspondents had been either hoaxed or lying from first to last—that
 " neither Mr. O'Donovan Rossa nor Mr. Crowe was represented directly or
 " indirectly—that the employment of dynamite never once came up for discussion
 " —that the uses the Skirmishing Fund had been put to were completely approved
 " —and that the convention got through their business, whatever it was, like men
 " who know how to keep their minds to themselves. Upon which the discomfited
 " specials cable across that 'it is now agreed the work of the present gathering is
 " 'of no account.' Will the English public ever see what the direct moral—or
 " rather hideous immorality—of all this is? As long as there was question of
 " infernal machines, the eyes of England and the terrors of England hung upon
 " the doings of the Convention; the moment it was found the Convention was not
 " plotting massacre it was despised, we have ourselves a very hearty abhorrence
 " of all unmanly modes of warfare, not in the least because they are unmanly and
 " un-Irish. But if there is a worse criminal than the man who explodes an
 " infernal machine among innocent people, it is the man who preaches, as the
 " English papers assiduously do, that there is no other way of compelling the
 " attention and respect of England."

Now, Mr. Parnell, as far as your knowledge is concerned, was there any suggestion of any dynamite policy even by a section of the Clan-na-Gaël at the time we are dealing with or in 1881?—Not so far as I have ever heard or known.

62,410. And so far as Patrick Ford was concerned, that began some time in 1883, or I think you said—The end of 1882 or the beginning of 1883.

(*The Attorney-General.*) There is one matter I ought to mention to your Lordships. You are aware a general question was put to Mr. Parnell to-day—I took no objection

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[Continued.]

to it—as to the speeches delivered in England or elsewhere, being in general accord with what he had said in the House of Commons. I think it right to give my learned friends notice that if they rely on any passages in speeches as neutralising those we have put in, that they should be prepared to put the speeches in; and I think it only right to say this, because we cannot accept unless your Lordship orders us to accept, a general answer of that kind; though it may be perfectly right as representing what the speeches really were. That is one matter I wish to mention to your Lordship—but I rose for this purpose. There has been put into my hands to-day a speech of Mr. Parnell's at Liverpool in 1879 on his way out, which, I think, I ought to put in; at least which I think I ought to give him notice of. I had not the extract, or knew of it until yesterday, and I only got a copy of it to-day. Of course, I should have put in before. Would your Lordship allow me to ask a question of Mr. Parnell now?

(*The President.*) Yes.

(*Sir C. Russell.*) Where do you get it from?

(*The Attorney-General.*) The "Daily Courier," 1st of December 1879. We have got the copy.

Further cross-examined by the ATTORNEY-GENERAL.

62,411. On your way out did you attend a meeting at Liverpool?—It is possible. I have not the meeting in my mind just at present.

62,412. Was Mr. Finigan with you?—I cannot recollect. I do not know.

62,413. Try and think; did not Mr. Finigan and you attend a meeting at Liverpool?—It is very possible. I recollect attending several meetings at Liverpool from time to time.

62,414. I am speaking of one on your way out to America?—I do not think that could be on the way out, because we went by Queenstown.

62,415. I may be using an inapt term; but did you not, shortly before going to America, stop at Liverpool in order to deliver a speech?—It is very possible.

62,416. I will give you the names of the people who were there. Did Dr. Commins preside?—I should think if I addressed a meeting there Dr. Commins was also there, and would also preside.

62,417. Did you know Dr. Commins was a Fenian?—No, I never heard Dr. Commins was a Fenian.

62,418. "Mr. Parnell, M.P., Mr. Finigan, M.P."—I think you said you did know that Mr. Finigan was a Fenian?—No, I do not think I ever heard that Mr. Finigan was a Fenian.

62,419. One of the physical force section?—No, I understood he had been in the Franco-Prussian War; I do not think I heard anything in addition to that as to the warlike achievements of Mr. Finigan.

62,420. I was not asking anything about the warlike achievements of Mr. Finigan. Dr. O'Feely, did you know Dr. O'Feely?—No, I do not know him.

62,421. Dr. Parsons?—Dr. Parsons I know.

62,422. Hampden Jackson?—No.

62,423. J. Denvir?—Yes, I know him.

62,424. Was he anything to do with the physical force movement?—I should think formerly he had, in the old times.

62,425. Dr. Parsons, had he anything to do with the physical force movement?—I should think not.

62,426. Laurence Conolly, had he anything to do with the physical force movement?—I should think not.

62,427. P. D. Garton?—Yes.

62,428. W. Simpson?—Yes.

62,429. Had any of these anything to do with the physical force movement?—I should think most unlikely.

62,430. Mr. M'Ardle, what do you say about him?—I should think that Mr. M'Ardle would not make a good warrior.

(*The President.*) Let silence be observed. These expressions of amusement are not seemly.

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[Continued.]

62,431. (*The Attorney-General.*) Whether a man would make a good warrior or not is not my question?—I should think it was most unlikely, John M'Ardle.

62,432. J. Bligh?—Same answer to him.

62,433. G. M. Byrne?—Same to him.

62,434. W. J. Sweeney?—I never heard of it.

62,435. J. Prendeville?—I do not know him,

62,436. T. E. Stephens?—No, I never heard of him.

62,437. I will read your speech as reported. [*Reading*]:—

“After saying that they had offered the landlords very good terms, and that if those terms were not accepted the landlords might go very much further and fare worse, and that in the west it was not a question of paying rent, but of living through the winter. Parnell continued:—If they had broken out in open rebellion against the armed force of the Crown, Lord Beaconsfield would have been glad. There was nothing that he would have liked better than that the people should take the law into their own hands as he had taken it into his, and trampled and torn it in pieces. The people of Ireland would not, however, choose Lord Beaconsfield's time, but their own time, and opportunity, and method. (Cheers.) It was his firm belief that the time had come for settling the Irish land question. It was true that it was only a portion of the great Irish national question, but it was a very important portion of it, because as long as the question was unsettled, as long as there was a landlord class in Ireland, or the class of the aristocracy invested with privileges and rights—or wrongs if they liked—which they were not entitled to, so long would that class, and the middle-class, whom they could influence, seek to uphold the English Government, or misgovernment, in their country. Deprive that class of these privileges, show that they must cast themselves in with the rest of their country, deprive them of the possession of an English garrison in Ireland, and a very important beginning would be made in the direction made by Mr. Gladstone, when he disestablished the English Church in Ireland. Let them see that it was to their interest to throw in their lot with the rest of their countrymen, and then he said that the last knell of English power and government in Ireland would have been sounded. Let him see the Orangemen of the North clasp hands with the Catholics of the South. Let him see all classes and all creeds of his countrymen united together to resist, and they should then have no English ministers attempting to indict their countrymen for sedition or anything else. Let them see, as in 1782, a hundred thousand swords—both Catholic and Protestant—leaping from their scabbards, and it would not be a question of chicanery, or of Acts of Parliament, or of anything that could possibly interfere with the right of the Irish people to make their own laws on the soil of Ireland. He, as a Protestant, should leave his country to-morrow if he could not trust his Catholic fellow countrymen to equal rights and privileges. And that was the feeling which he hoped before long would inspire everybody in Ireland, except those worthless slaves who lived upon the degradation of their countrymen, and who had no better ability than to be paid by the ‘Castle’ for their underhand, menial, and miserable work. (Cheers.) And when all classes in Ireland really possessed the feeling which should belong to every citizen of a country, he believed that then the time would come when those thousand warriors of whom Mr. Killan spoke would waken from their slumbers and would herald the Irish Nation on its future path of liberty and greatness.”

Is that a correct report of your speech?—I think that with the exception of the allusion to the “one hundred thousand swords leaping from their scabbards,” it is a very fair representation of my opinion at that time and my opinion now.

62,438. Do you represent that you did not say “one hundred thousand swords leaping from their scabbards”?—I should think there is some obscurity about the passage.

62,439. Whether there is any obscurity about the passage or not, do you say you did not make that statement?—I cannot tell you as to the verbal accuracy of the speech, it was so long ago; but my impression is the speech is not reported *verbatim*, and there was probably some obscurity about the passage in question.

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[Continued.]

62,440. Do you suggest to their Lordships that that is a speech advocating constitutional action?—I think the great portion of that speech—99 parts out of 100—is a very fair representation of my opinion at that time and of my opinion to-day.

62,441. Do you suggest the whole of that speech which I have read to you is an advocacy of constitutional action?—I think the greater part of it is, taking it as a whole, with the exception of what I have mentioned.

62,442. Tell me the portion you think is not?—The reference to the “one hundred thousand swords leaping from their scabbards,” and I cannot exactly see the reference to the one thousand gentlemen who awoke in their sleep, that Mr. Killen referred to,

62,443. Had Mr. Killen spoken at that meeting?—He must have.

62,444. Had advocated physical force?—I cannot say what he had advocated.

(*The Attorney-General.*) I have got the other part here.

(*Sir C. Russell.*) When you sit down I want to ask a question.

(*The Attorney-General.*) I have not finished yet. My Lords, there have been handed to me this morning some of the documents which were produced by Mr. Parnell, and handed to Mr. Cunynghame. It is quite clear from these documents that there are some most important matters as to which I ought to ask Mr. Parnell. I mention this to your Lordships in order that you may direct what course you think should be taken. Your Lordships will remember our producing Mr. Harcastle, the accountant, and that he said he had examined the Hibernian Bank books, and that it was impossible to trace any of the persons to whom the payments had been made, because for some reason or another, the entries were made in the books by a simple number, and the cheques were not forthcoming. I have not had time to examine these thoroughly, but I find in these Hibernian Bank counterfoils produced, I understand, by Mr. Parnell, and handed in yesterday, of 31st August 1882 :—

“ Edward McCafferty, Kilmainham Gaol, allowance due August 27th, 2l.

“ D. Curley, 31st August 1882, Kilmainham Gaol, allowance due 27th August, “ 2l.

“ 31st August 1882, D. Shaw, Kilmainham Gaol, allowance due 27th August, “ 2l.

“ Silvester Poff, Kilmainham Gaol. 31st August 1882.”

Now, my Lords, it is most material I should ascertain and ask a number of questions respecting these entries, which now appear in these documents which I have seen, and which Mr. Soames has seen for the first time this morning, from Mr. Parnell, or from somebody else. There are a great many other entries with reference to John O'Connor of Cork, upon which I should, of course, cross-examine at the present moment, because I have in my mind the answers Mr. Parnell gave; but I wish to ask your Lordships' permission whether or not. We should not now have a complete statement on oath of all the documents Mr. Parnell has, or has had in his possession, because it is quite clear that there are others.

(*Sir C. Russell.*) I think my friend had better wait till the cross-examination is finished before he makes this statement.

(*The Attorney-General.*) Forgive me, it is in answer——

(*Sir C. Russell.*) You surely ought to put the question now.

(*The President.*) It arose out of the cross-examination, and the Attorney-General is now asking whether he should proceed to cross-examine Mr. Parnell upon it, or whether some other course should be taken.

(*The Attorney-General.*) I am asking your Lordships whether you would prefer—I cannot pretend to exhaust it now—that I should ask Mr. Parnell now.

(*The President.*) I think not; I have already suggested, I think, it would be usefully done by the assistance of counsel and Mr. Cunynghame, and when he has gone into the matter and reports what documents there are—or what other documents there are bearing upon this question—then, if it is necessary, we will recall Mr. Parnell.

62,445. (*The Attorney-General.*) Then I should make an application to your Lordships that the gentlemen referred to in Mr. Parnell's affidavit, and whom Mr. Parnell himself referred to?—These are the sustentation of the suspects in Kilmainham.

(*The President.*) That one can collect.

(*The Witness.*) It is merely done for a purpose, my Lord.

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CHARLES STEWART PARNELL.

[Continued.]

(*The Attorney-General.*) There is a great deal more here in reference to these items that I should have to ask this gentleman. I was going to apply to your Lordships that further affidavits should be made of those gentlemen Mr. Parnell named; and Mr. Arthur O'Connor who is another gentleman who has been referred to, and who evidently had, at some time or other, documents—tracing their possession. I submit we are entitled to them with a view to our application, because at present your Lordships see they simply produce and bring to the Court what may happen to have been touched upon in the course of the examination. And with respect to a more independent application, I would submit that it is a right thing that a further affidavit should be made.

(*The Witness.*) I wish to state, my Lord——

(*The Attorney-General.*) And, my Lord, these counterfoils show the existence of other books.

(*The Witness.*) I wish to state there are 250, or nearly 250, cheques, and the learned Attorney-General has selected four or five of those cheques. They are all of a similar character.

(*The President.*) He suggests those as showing the necessity of further discovery.

(*The Witness.*) The mention of the names of these men was merely done for a purpose.

(*The Attorney-General.*) If that is mentioned, I claim at once to put a question.

62,446. You said you had not known John O'Connor, of Cork—I think he was called Dr. Clark—since, if I remember right, the year 1880?—I did not state it very definitely; I stated my impression was I had not met him since the second Irishtown meeting.

62,447. Did you not say yesterday, or the day before, you had never had anything to do with John O'Connor of Cork after 1881, the date I put to you?—No, no; you are mistaking the two different O'Connors—you are confusing them.

62,448. Is John O'Connor of Cork the same as Dr. Clark?—Not at all. John O'Connor of Cork is member for one of the divisions of Tipperary.

62,449. Is John O'Connor the member of Parliament?—Yes.

62,450. In 1882. Is he the gentleman mentioned in the counterfoils?—Yes.

62,451. You see I had not mistaken and I will ask you a particular question in reference to him. Who is the John O'Connor to whom the 100*l.* was paid—who is the John O'Connor to whom 400*l.* was paid?—That was Mr. John O'Connor the member for Tipperary.

62,452. The present member—Mr. John O'Connor; the member of Parliament?—Yes.

62,453. For what purpose?—For the purpose of the liabilities that had been entered into with regard to various matters which he will explain himself.

(*The Attorney-General.*) There are many others which I will ask you about, but I will postpone it at present.

(*The Witness.*) I am perfectly willing to answer any question with regard to these cheques on the spot. I produced them yesterday, voluntarily, without any question being asked; and you had to see them, and I think it is hard that the names of these particular men should be read out and be given to the public and my cross-examination indefinitely postponed.

(*The President.*) I do not see any hardship.

(*Sir Charles Russell.*) With great deference, my Lord, I must be allowed to express my sense of the injustice the Attorney-General has done.

(*The President.*) I do not see anything of the kind. It is perfectly necessary that it should be done.

(*Sir C. Russell.*) I must be allowed to entertain my own opinion about it.

(*The President.*) Quite so, and I express my opinion.

(*Sir C. Russell.*) We defer to the opinion of the Court, but I retain my own opinion.

(*The Attorney-General.*) I would rather, if anything of the kind be suggested, put my question now.

(*The President.*) We are not here to learn the private opinion of Sir Charles Russell, or any one else. We have to conduct the case according to proper legal form.

(*Sir C. Russell.*) I say I think Mr. Parnell's expression of complaint of the manner in which the Attorney-General has acted was a very justifiable expression.

(*The President.*) I consider you are not justified.

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[Continued.]

(*Sir C. Russell.*) But I must still hold the opinion.

(*The President.*) I am aware of that, sir, and that is a most improper mode of continuing the discussion.

(*Sir C. Russell.*) I cannot help it, my Lord.

(*The President.*) It was one I hoped you had abandoned.

(*Sir C. Russell.*) I keep my opinion, and feel it.

(*The Witness.*) I am perfectly ready to answer any question with regard to any cheque I have ever signed.

(*The President.*) That I do not doubt, but I hope you will follow the advice I have given you before, to produce every document which can have any bearing upon the case. If that had been done, and you have been advised upon the subject, these documents should have been disclosed before. I do not think justice has been done to you by those who advised you.

(*The Attorney-General.*) I again say, if Mr. Parnell is desirous to give any explanation I am willing to continue the examination.

(*The Witness.*) I am perfectly willing to do it now. I think these names should not have been put, if these questions were not going to be put to me.

(*The President.*) You are following the example that has been set you of repeating that which I have told you is not called for.

62,454. (*Sir C. Russell.*) Do you wish to be cross-examined about these cheques? —Most undoubtedly.

(*Sir C. Russell.*) I submit he ought to be, my Lord.

(*The Attorney-General.*) I may ask you the question at once

(*The President.*) No, no, no. It is not a question of what Mr. Parnell desires, but what we direct.

(*Sir C. Russell.*) I submit that in fairness it ought to be done.

(*The President.*) We decide there is no necessity for it, and it will be more convenient at another time.

(*Sir C. Russell.*) Then, my Lord, may I ask some questions?

(*The President.*) You are entitled to.

Re-examined by SIR CHARLES RUSSELL.

62,755. Will you give the explanation about these cheques?—These cheques were cheques drawn by me in company with scores of other cheques of a similar character, for the same purpose, namely for the suspects confined in the various prisons throughout Ireland, under the provisions of Mr. Forster's Coercion Act. There are scores of cheques of the same kind to other persons, but whose names did not present the same significance to the public, and the reading out of which would not have served the purpose of the Attorney-General.

(*The Attorney-General.*) My Lord, I must say there is a limit—

(*The President.*) I must take some means of preventing this system of repeating observations which I have already observed are quite out of place, and I think perhaps the better plan will be to adjourn Mr. Parnell's examination upon the matter until the documents are all before us.

(*Sir C. Russell.*) Very well, my Lord. I would only ask one general question.

62,456. Is there any difference between those singled out, rightly or wrongly singled out, and the other cheques in the counterfoils which have been produced?—Not in the slightest degree. It is long before these men were accused of the crime, they were subsequently convicted, and their names at the time of the presenting of the cheques presented no significance to my mind.

62,457. I do not know whether you are right in saying it—are they in your handwriting, these counterfoils?—Some of them are not; some of these particular ones are not. They are in the handwriting of one of the ladies of the Ladies' Land League.

62,458. Now, with reference to this speech at Liverpool, which has been read, do you know Dr. Parsons and Dr. Bligh, whose names have been mentioned; are they two well-known medical practitioners in Liverpool?—They are two well-known medical practitioners.

62,459. Do you know Dr. Commins is also a Doctor of Laws, and also a member of the London University?—Yes.

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[Continued.]

62,460. And a member of long standing in the northern circuit?—Undoubtedly.

62,461. And Dr. O'Feely, is he a Doctor of Laws, and also a member of the northern circuit?—I am not acquainted with him.

62,462. On the other hand, do you know that Mr. Prendeville is a large tug and ship owner in Liverpool?—Yes, I believe so.

62,463. Is there any ground for the assertion that an understanding was intended to be conveyed in any shape, or form, or sense that these men were, so far as you know, in any way connected with the Fenian body, or with any physical force?—Not in the slightest degree. The promoters of this movement were not men who were in any way connected with the physical force party whatever.

62,464. With reference to the passage which has been read about 100,000 swords leaping out of their scabbards in 1872, are you or not aware that 100,000 swords did not leap out of their scabbards in 1872?—No, the reference was evidently to the swords of the volunteers which remained in their scabbards.

62,465. And the action of the peaceful and constitutional assertion of the right of the Irish people to self-government was recognised by the English Government at this time?—Yes, Grattan's Parliament.

(*The Attorney-General.*) It would be convenient if your Lordship will state whether you think the further affidavit should be made or not at present. It is rather important to have some statement we can refer to. At present, if a fresh document turns up, we have no means of asking about it; whereas if it was scheduled, we can apply for an inspection.

(*The President.*) Have you any recollection, Mr. Reid, what the affidavit was which was to be sworn?

(*Mr. R. T. Reid.*) By Mr. Parnell?

(*The President.*) Was it by Mr. Parnell?

(*Mr. Justice A. L. Smith.*) Yes.

(*Mr. R. T. Reid.*) That is my recollection.

(*The President.*) I think perhaps the best plan will be if Mr. Parnell will, with the assistance of his solicitor, now make a complete examination of all his papers, and knowing the importance that we attach to it, make an affidavit of all the documents which he has.

(*The Attorney-General.*) Or has had.

(*Mr. Parnell.*) I will do my best. Of course, as this case progresses and develops I am better able to see what documents will be germane than I was at the commencement.

(*The President.*) That was why I suggested you should take the advice of your solicitor, and make the examination.

(*Mr. Parnell.*) Mr. Lewis has given me the advice that your Lordship has indicated from time to time, but these have gone over a series of years, and these things do not always come under one's notice at once.

(*The Attorney-General.*) Might I suggest that we might have an affidavit of Mr. Campbell, and Mr. Arthur O'Connor, who must have had a good deal to do with the books.

(*Mr. Lockwood.*) Might I have a copy of the affidavit of Mr. Arthur O'Connor.

(*The Attorney-General.*) I think you will find that says "No documents."

(*M. Lockwood.*) Does it say he never had any?

(*The Attorney-General.*) He never had.

(*The Secretary.*) It is on a printed form, Mr. Lockwood.

(*Mr. Lockwood.*) I have not a copy.

(*The Secretary.*) I have the original here.

(*Mr. Asquith.*) Perhaps the suggestion your Lordships made a little time ago about our going before Mr. Cunynghame—the carrying out of that suggestion might be postponed until after Mr. Parnell has made the inquiry, and has discovered whether he has any more papers.

(*The President.*) Yes, by all means.

(*Mr. Lockwood.*) My Lord, I have communicated with my learned friend the Attorney-General as to this affidavit of Mr. Arthur O'Connor, and I was asking my learned friend what documents he suggests have been shown to have been at any time in the possession of Mr. Arthur O'Connor which are not specified in his affidavit. My learned friend has referred me to a statement.

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[Continued.]

(*The Attorney-General.*) Will you allow me to make my statement for the moment. I understand that Mr. Arthur O'Connor was at one time treasurer of the Land League?

(*Mr. Lockwood.*) Never.

(*The Attorney-General.*) Very Well. He was sent over by Mr. Parnell to put in order the books of the Land League, they being disorganised. That Mr. Parnell has said in the box. I submit to your Lordship that going over there—being also a party to the bringing back of some of the accounts to England—Mr. Parnell says he advised Mr. Arthur O'Connor even to go further—I think to take them out of England—that Mr. Arthur O'Connor ought to state what to his knowledge are the books which, prior to the suppression of the League, if I may take that date, were in his possession and under his control at Dublin, and what has become of those as far as he knows. Of course, if your Lordships think I ought to be bound at present by the printed form of affidavit of Mr. Arthur O'Connor, which is exactly in the same form as numbers of the others of the members of Parliament, your Lordships will see there are altogether, as Mr. Cunynghame has just put it, some 30 or 40 members of Parliament whose affidavits have been printed for them by Mr. Lewis. Therefore, I submit, upon the evidence before your Lordships, Mr. O'Connor ought to give further information.

(*Mr. Lockwood.*) All this has been brought, and shall again be brought to the knowledge of this gentleman of whom we are now speaking. But I can only say that so far as I am instructed, the affidavit which is before your Lordship is the only affidavit which he can make.

(*Mr. Justice A. L. Smith.*) How?

(*The President.*) Be it so. I will assume that. But his attention is now directed to the fact that Mr. Parnell says (he may be mistaken) that he had these books in his custody.

(*The Attorney-General.*) In his charge?

(*The President.*) He says so, and he is only asked now, being reminded of that, to state whether that is the case.

(*Mr. Lockwood.*) As I have said, I do not wish to prolong this matter, but his attention should be called to it.

(*The President.*) Yes. Should it turn out that that is correct, then he would have to give an account not only of any books he has in his possession now, but of those which passed through his hands.

(*The Attorney-General.*) May I point out that Mr. Arthur O'Connor was one of those in whose names one of the accounts in the books actually stood for a great many months. That is what I had in my mind when I said that he was treasurer, and, therefore, if you call his attention to that fact it may turn out that he had charge of more of the accounts than he was at this time aware of. The actual words were that Mr. Arthur O'Connor was in charge of these books.

(*The President.*) Mr. Reid, who is your next witness?

(*Mr. R. T. Reid.*) The Archbishop of Dublin.

The Most Reverend WILLIAM J. WALSH, Archbishop of Dublin, sworn;
examined by Mr. R. T. REID.

62,466. You are the Archbishop of Dublin?—Yes.

62,467. And I believe previous to that you were for some months in pastoral charge of that diocese?—Yes, holding the office of Vicar Capitular. With us the Vicar Capitular is a person who has charge of a diocese—a vacancy in the See. I have been Archbishop since the summer of 1885, and from the February previous I had had the charge of the diocese as Vicar Capitular.

62,468. I believe since 1880, and until 1885, you were President of the Maynooth College?—I have been President of Maynooth College since August 1880, and two years previously, from 1878, I had been vice-president, and acting-president of the college through the absence from illness of the president, Dr. Russell.

62,469. Do these offices in Ireland bring you into very direct communication and connexion with representative people in Ireland?—They brought me into frequent and direct communication with representative people from all parts of the country. That is true of my present position as Archbishop of Dublin, and it was true also of the office I held in Maynooth. I might mention, before I was appointed vice-president

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[Continued.]

of Maynooth College I had been for 12 years one of the professors on the staff of the college, and that office also brought me in direct communication with very representative people in all parts of the country.

62,470. And have you had an opportunity of knowing the condition of the country, and the prevalence of distress?—Yes. As regards the prevalence of distress, and also the condition of the people, especially of the farming classes, and also as to the general progress of this movement which is under investigation, I believe, before their Lordships.

62,471. At the time when this movement first commenced, that is to say in the year 1879, did you have occasion to study the agrarian differences that existed then in Ireland?—Yes, in connexion with the duties of my office as vice-president and acting president of the college.

62,472. You gave evidence before Lord Bessborough's Commission, I believe?—And the college at that time was in a position of peculiar difficulty, arising out of the condition of the Land Laws, and of the unprotected conditions of the tenants generally. I was obliged in the discharge of my duty as vice-president of the college to take an active part in the management of these cases, and I was afterwards requested by the Archbishop of Dublin at the time, his Eminence Cardinal M'Cabe, to give evidence about the case before the Bessborough Commission. That circumstance led to my making a very close study of the actual condition of the Land Laws at the time, and the condition of unprotectedness in which the tenants then stood.

62,473. In 1879 did the Land Act of 1870 give effectual protection to tenants from an arbitrary increase of rent?—No, the case of the college, the particular case to which I have now referred, involved two points of special importance.

(*The Attorney-General.*) I think this is rather far off.

(*The President.*) I have already intimated that I am very loth to interrupt, but we have not to enter into any question of the sufficiency of any of those laws that were passed. It is a domain we are entirely excluded from. We have nothing to do with the political question.

(*Mr. R. T. Reid.*) I will of course observe what your Lordship says. I was leading to the question of the necessity of an organisation, that is all. If your Lordships will allow me, in a word or two, I will put the preliminary matter to lead to the question which I am about to ask. I will not trouble with any instances if you please, but if I may be permitted to take a general expression of opinion upon the subject I will do so.

62,474. The Act of 1817 was to give wide and effectual and sufficient protection, and if necessary you can give information in regard to the evictions from Maynooth College of the landlord at the time?—It was the eviction of the trustees of the college.

62,475. As illustrating that point, as to the tenantry, at that time in 1879, in your judgment was there a need for a defensive organisation?—I considered that there was an absolute need for it; that the law, as it stood, did not sufficiently protect the tenant, and that in the absence of a defensive organisation the tenants were practically at the mercy of the landlords, that is, at the mercy of any landlord who chose arbitrarily to increase the rent, or arbitrarily to evict the tenant.

62,476. There is a passage, I believe, to which I think you had better refer, in the report of the Bessborough Commission on this subject. Have you in the Bessborough Commission the passage in question. I think it appears in an article of your authorship upon the Irish land question?—Yes, the passage is a very well known one. I considered it a very important one, and I introduced it into this article.

(*Mr. R. T. Reid.*) I do not know whether your Lordship has had this before you; but it is a rather important matter, if not already before the Court.

(*The Witness.*) Shall I read it?

62,477. (*The Attorney-General.*) Read from the Bessborough Commission, not the whole article?—The passage I have quoted is not very long.

62,478. (*Mr. R. T. Reid.*) Will you allow me to read it?

“It appears from the evidence that the Land Act of 1870 . . . has failed
 “to afford (the tenant farmers of Ireland) adequate security, particularly in
 “protecting them against occasional and unreasonable increases of rent. On some
 “estates, and particularly on some recently acquired, rents have been raised . . .
 “to an excessive degree, not only as compared with the value of the land, but
 “even so as to absorb the profits of the tenants' improvements.

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[Continued.]

“ When rent is raised, although the rise . . . may deprive the tenant of
 “ the benefit of his own improvements, although it may make it difficult for him
 “ to get a living on the farm, *he must submit*. The evidence shows that, under a
 “ system of gradual small increases of rent, tenants *have submitted* long past the
 “ point at which they consider themselves to be unfairly rented. . . .”

—I think that is the end of the passage; that is the end of the important passage.

62,479. Following out what my Lord has intimated, I will not ask with reference to the particular defects of that law, indeed I think it was dealt with by Sir Charles Russell, but when the Land Act of 1881 was passed was there any widespread feeling against going into Court for the purpose of having judicial rents fixed?—There was a most general feeling widespread throughout the country—I fear I have made a mistake in telling you that the end of that important passage had been reached—there is a continuation of it a little lower down, my Lords. I am familiar with the passage. Perhaps if I read the sentence to which I refer, it may save time. As a general reference altogether it is 19, 21, and 48.

“ The process of bargaining may end, and under the Land Act of 1870 it is
 “ bound to end, *unless the tenant submits to the landlord's demands*, with a dis-
 “ possession of the tenant by the landlord, against which there is no resistance
 “ possible and no appeal.

“ An ejected farmer in Ireland has *nothing to turn to*, except the chance of
 “ purchasing another holding, the offers of which are limited, and the prices high.
 “ Not to come to terms with his landlord means for him to leave his home, to
 “ leave his employment, to forfeit the inheritance of his fathers and to some
 “ extent, the investment of his toil, and to sink at once to a place of physical
 “ comfort and social rank. It is no matter to him of the chaffer of the market,
 “ but almost of life and death.”

That was the passage.

62,480. You said that after the Act of 1881 had been passed there was a widespread aversion on the part of the tenants to go into the Land Court?—There was.

62,481. And I believe that there was a recommendation by Mr. Parnell and the other leaders to support a policy of test cases?—Yes.

62,482. In your judgment was that dissatisfaction or that public aversion from going in the Land Court the result of lawlessness, or was it in your opinion justifiable in the circumstances of Ireland at the time?—I consider that it was the only prudent advice that could have been given to the people at the time.

62,483. Will you kindly explain your reason for that?—My opinion is based chiefly upon three main defects or imperfections of the Act. It was generally felt throughout the country, that as matters then stood tenants going into court could not derive real advantage from the provisions of this Act. The defects to which I refer were three. I trust, my Lords, I am not going too much into detail. It is impossible for me to know how far I ought to go.

(*The President.*) I understand that, but I am bound to say that it is altogether foreign to the inquiry to pursue an investigation into the shortcomings of the Act.

(*Mr. R. T. Reid.*) It is not for this purpose, your Lordships will see, I am sure; my object is to show that the course taken in 1881 was, in the opinion of prudent and honourable men in Ireland, a wise and justifiable course. The policy of test cases has been attacked, and I want to show upon what solid foundation it rested.

(*The President.*) I do not think that is material. Of course men might differ upon a question of whether it was judicious to adopt that course of test cases or not. We have nothing to do with that.

(*Mr. R. T. Reid.*) No, my Lord.

(*The President.*) And to make use of the phrase that you refer to that that there was need of a defensive organisation, the question we have to try is whether there was need of such an organisation as this—that is the point.

(*Mr. R. T. Reid.*) Exactly; and if I may say so I entirely concur, and I shall argue that view before your Lordships hereafter that a good many of the things that have been proved perhaps, do go beyond that.

(*The President.*) I shall rely upon you and his Grace to make it as short as possible, having now indicated what I think ought to make an impression on our minds.

(*Mr. R. T. Reid.*) Yes, I see what your Lordship means. I shall not pursue this subject at all.

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[Continued.]

62,484. I was asking before, a question as to which I was leading, as to the necessity of a defensive organisation, and we know that the League in point of fact started in 1879—has it been your duty in your diocese and elsewhere to examine the working of the Land League and National League?—Yes, it became my duty at once on my appointment as Bishop to examine into the nature of the organisation and the result of its working generally throughout the country. I ought perhaps to explain why it was my duty to do this.

62,485. If you please?—I observed that in many parts of Ireland and practically throughout the whole country, the clergy—the local Catholic clergy, parish priests and curates, had become members of the League, and had even accepted offices such as the office of president of local branches—it became my duty at once as Bishop to see what relations I should allow or sanction the clergy of my diocese in reference to this organisation, and it was in fulfilment of that duty that I used every means open to me to investigate the character and the working of the organisation.

62,486. Was it at any time a matter of discussion, I mean of formal discussion at the meetings of the bishops, what course they should adopt with regard to these Leagues?—It was. It has been frequently a matter of conversation amongst the bishops at their meetings, and as the result of all that consultation and consideration I think there is scarcely any part, if there is any part of Ireland, in which the clergy are not allowed or even encouraged to assume a position of responsibility in connexion with the local branches of the League.

62,487. Is that the case in fact all over Ireland—in many parts of Ireland at least—all over Ireland?—I think so.

62,488. The clergy do take part actively in the League by holding offices?—So I have always understood. I know it to be the case in many dioceses, of my own personal knowledge. In regard to crime and the effect of the League on crime, what is the opinion that you have formed as to the effect of these leagues on crimes in Ireland.

(*The Attorney-General.*) I respectfully submit that is going further than we ought. That really is the issue to a great extent.

(*Mr. R. T. Reid.*) My learned friend asked these questions of Captain Plunkett and Captain Slacke, and other gentlemen whom he called, of an official character.

(*The President.*) I do not think we ought to prevent your putting the question, always bearing in mind that it is the question we have to determine, and, of course, we are to act upon our opinion upon the evidence, and not on the opinion of others.

(*The Attorney-General.*) I will only point out with reference to those gentlemen that I asked questions, as to fact, as to their experience in the district as to certain outrages and crimes, and matters, coming under their personal knowledge. Your Lordships will lay down a rule I submit, that if my friends are going to put this it should be upon certain facts.

(*Mr. R. T. Reid.*) I desire to say, and I would rather say a word, if I may, upon what I think is the extreme relevancy of this evidence, because I propose to multiply it largely. One position at least that is put forward against us is, that instituting this League and maintaining this League must be taken to be evidence of complicity in or rather of compassing crime on the part of those who did it. If I can show, as I propose to show, that all over Ireland by men of the highest authority and of undoubted character, that they approved of it, and that they regarded it as being a preventative of crime instead of supporting crime, I submit we can go into that in order to satisfy your Lordships that the membership of the League and the support of it is no evidence at all of any connivance or sympathy with crime. That is the ground upon which I put it. I do not wish to be misunderstood, because I attach very great importance to it, and propose to multiply the evidence upon this point of view.

(*Sir H. James.*) May I say one word in reference to the evidence upon my friend's point of view. If it is merely a matter of opinion on which my learned friend has formed his question, what do your Lordships think? I submit it cannot be given in evidence, because it may be evidence of a very conflicting character. It is not a matter upon which an opinion can be formed ordinarily. The question asked is a question upon facts derived from a variety of sources. It is asking the Archbishop to usurp the position which the Commission occupies, in determining this matter.

(*Mr. R. T. Reid.*) I will only say I shall say that these gentlemen had more opportunity of knowing of the real work done by any organisation in the midst of the

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people than any other class of men, however worthy of respect, and with great deference I shall propose to multiply this evidence.

(*The President.*) It will be necessary to know upon what facts any particular witness forms his opinion. That might be a long investigation. Since you say that you propose to multiply this evidence it makes it of more importance; otherwise I should have said take the opinion of the Archbishop, remembering always that it is not his opinion that we are to act upon, but our own.

(*Mr. R. T. Reid.*) Oh, of course. If your Lordships are about to consult, perhaps I might be permitted to add a few words to what I was saying, because I did not, indeed, anticipate that this question would arise. The case on behalf of the "Times" is not only that there has been personal complicity with the commission of outrage on the part of some of these gentlemen, but it is described in their particulars that in the first instance the Land League itself and the National League were organs and organisations of crime; and that these gentlemen, by approving and supporting these organisations, thereby rendered themselves accessory to what was and what they must have known to be a criminal organisation for the purpose of committing outrage. That is broadly the position which is taken up.

Now, I want to point out first that evidence has been called on the part of the "Times" of about 10 or 12 or more witnesses, both land agents and police officers, for the purpose of saying that that is their opinion, and Sir Charles Russell repeatedly, in the course of the case for the "Times," indicated that he also should call evidence as to opinion, and therefore did not object to questions of that character being put. I could multiply the illustrations if I was to search the shorthand notes for that purpose. That is one reason why I desire to call evidence upon this subject, because it is not a matter of opinion and conclusion drawn from a multitude of facts merely, but a matter of observation and knowledge of those who live in the locality, who see the working of these leagues in the locality, and who have report made to them by ecclesiastics who are responsible to them. That is one ground, but another, and a perfectly different ground, is this, even supposing (which I do not admit, but deny) that these Land Leagues were in fact connected with crime (which I strenuously deny, and shall deny), is it to be said that people who joined them, who support them at a time when they have the approval of those persons most respected in Ireland, and probably most worthy of respect in Ireland, are to be condemned by reason of their connexion with the League. That is one ground which I desire to put, and shall urge when my time comes, before your Lordships. But of course, I attribute the very greatest importance to this. I know not how we can deal with the character of this League otherwise than by calling witnesses who know what the character of the League is, and who live in places affected by the League, for the purpose of proving that. That is what I desire to say.

(*Mr. Lockwood.*) I would wish, my Lords, to add to that which has already been said by my learned friend, Mr. Reid, that I am sure your Lordships will recollect that evidence of this kind was given, not only by the police constables and the resident magistrates, and divisional magistrates, but was also given by land agents and persons who had an opportunity of learning in the districts in which they lived the effect which had been produced by the action of the Land League.

(*Mr. Justice A. L. Smith.*) But were not the land agents, Mr. Lockwood, all persons who gave evidence of what the tenants had said to them, and the consequent terrorism?

(*Mr. Lockwood.*) Oh no, my Lord. If that were the evidence—that it was merely a repetition of complaints that were made to them by particular individuals—then there certainly would be no comparison, I admit at once, between the question my learned friend, Mr. Reid, seems to put, and the evidence which has been already given. I am not able at the present moment to call your Lordships' attention to any instance in aid of my recollection, but my recollection was that my learned friends frequently, in examining persons, for instance, like Mr. Leonard and Captain Slack (he no doubt was a magistrate, but Mr. Leonard particularly), put to those witnesses, and that class of witness general, questions as to what their opinion was, they being persons who, from their position, were likely to ascertain the feeling of the people and the effect upon the people of an organisation such as this. Well, my Lords, if that were admitted in the

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case of persons in the position of land agents, surely the position of this witness would amply justify my learned friend in putting this question generally to him with regard to his knowledge extending of course over a considerable portion of Ireland. What my learned friend intends to do, and has announced his intention of doing, and what we all of us hoped to have done in aid of clients, when it became our duty to do so, was to put before your Lordships evidence, certainly not of gentlemen in so important a position as his Grace, but local clergymen who had an opportunity from their position as local clergymen of learning the feelings of the persons in the locality, and thereby having that opportunity, being entitled to give evidence to your Lordships as to that feeling and as to the causes which had effected that feeling.

My Lords, my learned friend, Mr. Reid, has put into my hands an extract, which perhaps my friend will read. I should be only reading it the first time.

(*Mr. R. T. Reid.*) It is page 989, question 14,880; Maurice Leonard's evidence. "You have referred to a number of letters, and to this statement about not paying rent?—(*A.*) Yes. (*Q.*) And to the letters that have been written about the various things referred to in the letters. During the years which these letters refer to, by which I mean 1881 and 1882, and 1885 and 1886, were there any other organisations that were preaching the non-payment of rent, besides the Land League and the National League?—(*A.*) No. (*Q.*) Now, it is suggested that this intimidation, whatever it was, was the work of some secret society, and not of the Land League and the National League; do you believe it?—(*A.*) It was the work of the National League and the Land League, and the National League in the district of Rathmore," and so forth; and other districts he speaks of. That is the illustration which occurred to my mind from memory, and I really think that I could give to your Lordships at least 12 or 20—in fact, I am sure I could give more, because I have studied this evidence rather carefully—cases in which questions of opinion have been asked, and Sir Charles Russell said I do not object to those questions of opinion, because I propose to call evidence of that character myself.

(*Mr. Biggar.*) Before the Attorney-General replies I should like to say one word. Over and over again such evidence was given by hirelings of the Government.

(*The President.*) Really! Why do you use expressions of that kind?

(*Mr. Biggar.*) Well, by officials of the Government; and I say this deliberately, that if such evidence as this is not admitted by your Lordships the whole inquiry will end in a farce.

(*The President.*) You have not assisted us.

(*The Attorney-General.*) My Lords, I will just deal with the points taken by my learned friends in a few words. The course we pursued, which, I think, could not have been objected to, and was not objected to, was this, we called witnesses to prove particular facts. We called the land agents who spoke to the receipt of letters from tenants, to interviews with tenants. We called police magistrates or police officials who spoke to actual occurrences; and in connexion with the cross-examination which had proceeded that these acts were the acts of some other organisation than the Land League, we put those questions; but to no single witness, so far as I know, did we ever put the question of his belief in the effect of a particular organisation, except founded upon facts within his own knowledge; and I may venture to remind your Lordships that your Lordships confined us to documents which had come to his knowledge in the course of his official duty; and, although I may have made mistakes, I am not aware that we have in any single case attempted to elicit a general expression of opinion except that was founded upon facts. In this particular case Mr. Leonard had produced large numbers of letters; had spoken to large numbers of interviews. It was suggested that that intimidation was not a *bonâ fide* intimidation, or, if so, was the effect of some other causes; and then we put that question in order to get the negative. I submit to your Lordships there is no parallel, and unless my learned friends prove actual facts for the purpose of founding an opinion, we submit that the expression of an opinion which is no more than a statement of the issue in this case is not admissible in evidence.

(*Sir H. James.*) May I say only one word more? I am very anxious there should be no misunderstanding about this matter.

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(*The President.*) That would be two replies.

(*Sir H. James.*) I am afraid it is a reply, my Lord.

Their Lordships retired.

(*The President.*) We are of opinion that it is not permissible to put to any witness, however distinguished he may be, the abstract question of what his opinion is of the working of the League, and we certainly have not consciously admitted any evidence of that kind. It is necessary before any question as to the opinion of a witness can be allowed, that the facts known to the witness, upon which it is argued that he was in a position to form an opinion, should be laid before the Court. Now, with regard to the case of the Archbishop, we have no knowledge of any means that he has of being acquainted with the facts relating to the League, and, therefore, we do not think that the expression of his opinion is admissible evidence.

(*Mr. R. T. Reid.*) I think, if your Lordships will permit me, I will ask the Archbishop what means he has of forming an opinion in regard to the League to begin with. If it is a question of laying a foundation, I quite appreciate and understand that.

62,489. Will your Grace kindly tell us what means you had of forming an opinion as to the influence of the League?

(*The President.*) No, if I may be permitted to suggest, as you are trying to follow out the ruling—what knowledge of the facts connected with the League as the Archbishop, or had he at the time.

62,490. (*Mr. R. T. Reid.*) What knowledge had you of the proceedings of the League? Did you yourself go through the country, through your own diocese, and elsewhere?—Yes.

62,491. And make inquiries in regard to it?—Yes.

62,492. You also received reports, of course, and information from time to time from those under your care?—Yes.

62,493. And addresses, I presume, from people in the district when you went round?—Yes.

62,494. From every parish, I suppose, in your diocese, or most parishes?—From most of the districts that I happened to visit shortly after my appointment to the archbishopric. At that time, as was natural, the people in the different places presented addresses of welcome to me, and amongst these addresses there were occasionally addresses even from the local branches of the League, and one of the facts that I had prominently in mind when I was expressing the opinion was that those addresses contained distinct denunciations, of outrage. The persons presenting the addresses expressed in the addresses their abhorrence of those outrages.

62,495. You, I presume, have followed, and considered it to be your duty to follow, any indications of crime, or of exceptional crime, in your diocese or elsewhere?—Oh, there is nothing that I can call exceptional crime in my diocese.

62,496. Any crime that might take place was naturally a matter which might come under your care?—Oh, certainly.

62,497. And the cause of it, so far as you could ascertain it?—Certainly, it would be my duty to investigate as far as possible the extent to which any organisation such as this was involved in any criminal courses, especially when there are some of my clergy naturally holding positions of responsibility in connexion with the local branches.

62,498. In fact, did your Grace sanction the clergy acting in connexion with these Leagues?—Yes, in any case where the local clergy personally wished to become members of the League, or even to accept offices in connexion with the local branches, it was understood that in doing that they had my full approval, but it is a matter on which I leave the priests of my diocese in absolute freedom. It is understood that as far as I am concerned it is a matter of absolute indifference whether they connect themselves with the League or not; but many have done so, and on that account it has become my duty to keep a constant watch over the progress of the organisation in my diocese.

62,499. Are there any other circumstances that occur to your mind at the present moment which enable you to form a judgment or opinion in connexion with the effect

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of the National League?—Before I pass to that, as you have referred to those addresses, perhaps, my Lord, I might read a passage from one or two of them.

(*The President.*) No, I think not.

62,500. (*Mr. R. T. Reid.*) I was for the moment doing what we call in the law courts laying a foundation for a further question, asking sources of information. Are there any other sources, besides those which you have described, of information that enabled you to form your judgment in regard to the work of the National League?—I think the facts that I have mentioned cover practically the whole ground. I have not gone into that in detail, and perhaps it might be well that I should do so.

62,501. I am speaking now with regard to the National League, the League which existed in 1885 and afterwards?—Yes, my personal knowledge begins there.

(*The Attorney-General.*) Will you get the date in 1885, kindly?

62,502. (*Mr. R. T. Reid.*) It was June 1885?—I was appointed Archbishop at the end of June 1885, and in February 1885, I was appointed Vicar Capitular.

(*Mr. R. T. Reid.*) Upon that, I submit, I am entitled to give the evidence.

(*The President.*) No: I do not think that has altered it. It does not show any facts upon which he would be able to form an opinion on the working of the League; but, however, really I must say that I think probably it would be found possible to arrive at a form of question which will pass without objection. You may very well ask this witness or any other whether any facts ever came to his knowledge which led him to such and such an opinion.

(*Mr. R. T. Reid.*) My Lord, as regards the form of the question, of course I need not say that I should defer at once to your Lordship, and would endeavour to comply with my friend's wishes even if they had a wish upon a question of that kind. The question is really one of very great substance to us—of enormous substance to us. We propose, as I have said, to give further evidence. What we propose to do, how we propose to fortify ourselves in different parts of the country, is by showing the beneficial effect of the League—not the evil effect, but the affirmatively beneficial.

(*The President.*) Quite so; but I can imagine somebody being acquainted with those facts, who would come and who would have a right to give an opinion.

(*Mr. R. T. Reid.*) I do not want your Lordship to think I am trying to re-argue this matter.

(*The President.*) Oh, no.

(*Mr. R. T. Reid.*) I am not trying to do so, but I am trying to arrive at a solution if possible, feeling that it is of the most capital importance to my case, and, indeed, embarrasses us in a degree which can scarcely be exaggerated.

(*The President.*) Yes; any witness who is in a position to say, "I knew such and such facts, and from those facts I came to such and such a conclusion" you might call; but really after all, his Grace his only giving a general opinion upon something which he has heard as it appears in various quarters.

(*Mr. R. T. Reid.*) I can only say this further. The Archbishop had to observe as a part of his duty the action of the League in the different localities, and as the result of that observation, dependent upon which was his action toward the League and the priests under his charge, was the conclusion as to which I am desiring to ask.

(*The President.*) I had that in my mind when I suggested a form of question, and then that we should draw our own inferences.

62,503. From anything which you knew in connexion with the League did you see any reason to forbid your clergy joining it?—No, my Lord.

(*The President.*) Very well; then we will draw our inference.

(*Mr. R. T. Reid.*) My Lord, I ought to say that I want affirmative evidence of opinion. In the case of the Archbishop of Dublin he, of course, has a duty that your Lordship has indicated, and which would make his action as eloquent as his opinion by reason of allowing his clergy to take part. In the case of others, as, for example, a parish priest who knows or believes he knows what the effect of the League has been in his parish, there would be no such corresponding duty as your Lordship has indicated to exist in this case.

(*The President.*) I should think it exceedingly likely that a parish priest would know more in fact than the Archbishop, and probably would be the person from whom the Archbishop would collect the materials on which he formed his opinion.

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(*Mr. R. T. Reid.*) My Lord, it is a question, as I have said, of the very first importance to us, as it may make a very great difference. I do not know whether your Lordship would allow us to adjourn until to-morrow that we might consider our position which really would be very seriously affected by the rejection of this evidence.

(*The President.*) Are there any other questions? Was that your sole object in calling the Archbishop?

(*Mr. R. T. Reid.*) I think it really would not be a useful occupation of time if I was to put other questions.

(*The President.*) Very well.

(*Mr. R. T. Reid.*) I ask your Lordship kindly to allow us to reconsider the matter.

(*The Witness.*) I was anxious to correct the report of one of my letters in the Pigott correspondence. I had an opportunity of seeing the shorthand report, and it seems to me that a very important paragraph is omitted from one of the letters. I wrote to Mr. Cunynghame about it at the time.

(*The Secretary.*) His Grace did write. We thought it hardly worth while to reprint the whole of it. His Grace thought it not so important as that, but he thought he would like an opportunity, if you would give it him, of putting it right.

(*The Witness.*) This is the letter, my Lord. It might be the shortest course if I simply read the letter and had it put now in full upon the note. The date is the 12th May 1887. This is the passage left out:—

“ I do not see how I could think of interfering in the way you suggest. I do not know Mr. Parnell at all intimately; but from what little I do know of him I should be very slow to undertake to put before him, as you suggest, a proposal that he should do anything with a view of preventing a continuance of the publications, or of securing a withdrawal of those already published, or an apology for them. As regards the famous *facsimile* letter, no withdrawal would be worth looking for which did not candidly avow that the letter was a forgery and secure the handing over of the forger to the hands of justice. If those responsible for the publication cannot do this, they are not worth while treating with. If they can do it, and yet decline to do it except on certain conditions to be imposed upon Mr. Parnell, they are plainly persons with whom neither he nor any other gentleman could afford to treat.

“ This at least is my conjecture as to the way in which Mr. Parnell would view the matter if any one were to communicate with him about it.”

That is an important paragraph not contained in the shorthand notes.

62,504. (*Sir H. James.*) That is just to make it complete?—Yes, just to make it complete.

62,505. That is the original letter?—It is my original draft of the letter. The draft is in evidence.

62,506. Where is the original? We have all a common object—accuracy. I understand the original of that letter is in the hands of the secretary. That is the draft, I understand? The letter was a letter written to that unfortunate Pigott. It is very hard to know what has become of the original.

62,507. The original is in your Grace's handwriting.

(*The Secretary.*) This is the draft.

(*Mr. Asquith.*) The Archbishop's letter was put in in cross-examination.

(*The Secretary.*) It was not, apparently, all read by the Counsel at the time.

Adjourned till to-morrow at 10.30.

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